

# भारत का राजपत्र The Gazette of India

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No. 25]

NEW DELHI, SATURDAY, JUNE 22, 2002/ASADHA 1, 1924

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में  
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a  
separate compilation

## भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-Section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांख्यिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications Issued by the Ministries of the Government of India  
(other than the Ministry of Defence)

राष्ट्रपति सचिवालय

नई दिल्ली, 14 जून, 2002

स्थानीय सीमाओं में प्रदत्त शक्तियों का प्रयोग और  
उन पर अधिरोपित कर्तव्यों का पालन करेगा।

सारणी

अधिकारी का नाम	सरकारी स्थानों के प्रवर्ग, एवं क्षेत्राधिकार की स्थानीय सीमाएं
(1)	(2)
भार. एस. राणा अवर सचिव (समन्वय) राष्ट्रपति सचिवालय	स्थानों में नई दिल्ली, शिमला (हि. प्र.) देहरादून, (उत्तरांचल) एवं बीलाराम, सिकंदराबाद (आं. प्र.) में स्थित राष्ट्रपति संपदा समाविष्ट है।

[कार्ड सं. डी.—11020/1/90-ई बी ए]

शिव कुमार अग्रवाल, निदेशक

का.आ. 2027.—केन्द्रीय सरकार, सरकारी स्थान  
(अप्राधिकृत अधिभोगियों की वेदखली) अधिनियम, 1971  
तथा तब के भारत के निर्माण एवं आवास मंत्रालय की  
अधिसूचना सं. का.आ. 720, दिनांक 10 मार्च, 1973 के  
अधिक्रमण में धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग  
करते हुये, नीचे सारणी के स्तम्भ (1) में उल्लिखित  
अधिकारी को, जो सरकार के राजपत्रित अधिकारी है,  
उक्त अधिनियम के प्रयोजन के लिये संपदा अधिकारी  
नियुक्त करती है। यह अधिकारी उक्त सारणी के स्तम्भ  
(2) में तत्स्थानी प्रविष्टि में विनिर्दिष्ट सरकारी स्थानों  
के प्रवर्गों के संबंध में उक्त अधिनियम के द्वारा या उसके  
अधीन संपदा अधिकारियों को अपने क्षेत्राधिकार की

## PRESIDENT'S SECRETARIAT

New Delhi, the 14th June, 2002

S.O. 2027.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 and in supersession of the then Government of India in the Ministry of Works and Housing Notification No. S.O. 720 dated the 10th March, 1973, the Central Government hereby appoints the officer mentioned in column (1) of the table below being a gazetted officer of the Government to be Estate Officer for the purposes of the said Act who shall exercise the powers conferred and performed the duties imposed on Estate Officer by or under the said Act within local limits of his respective jurisdiction in respect of the public premises specified in corresponding entry in column (2) of the said table.

TABLE

Designation of the Officer	Categories of Public Premises & local limits of jurisdiction
(1)	(2)
Shri R. S. Rana Under Secretary (Coord).	Premises comprising the President's Estate in New Delhi, Shimla (Himachal Pradesh), Dehradun (Uttaranchal) and Balarum, Secunderabad (Andhra Pradesh).
[ File No. D-11020/1/90-EBA ] S. K. AGGARWAL, Director	

गृह मंत्रालय

नई दिल्ली, 7 जून, 2002

का.आ. 2028.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में, गृह मंत्रालय के निम्नलिखित कार्यालयों में हिन्दी का कार्यसाधक ज्ञान रखने वाले कर्मचारियों की संख्या 80 प्रतिशत से अधिक हो जाने के फलस्वरूप उन्हें एतद्द्वारा अधिसूचित करती है :—

1. 47 बटालियन, सीमा सुरक्षा बल,
2. 58 बटालियन, सीमा सुरक्षा बल,
3. 83 बटालियन, सीमा सुरक्षा बल,
4. 132 बटालियन, सीमा सुरक्षा बल,
5. 140 बटालियन, सीमा सुरक्षा बल,
6. कार्यालय महानिरीक्षक, सीमा सुरक्षा बल बारामूला, जम्मू एवं कश्मीर ।

[सं. 12017/1/2002-हिन्दी]  
राजेन्द्र सिंह, निदेशक (राजभाषा)

## MINISTRY OF HOME AFFAIRS

New Delhi, the 7th June, 2002

S.O. 2028.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices of the Ministry of Home Affairs where the percentage of Hindi Showing staff has gone above 80% :

1. 47 Bn., Border Security Force.
2. 58 Bn., Border Security Force.
3. 83 Bn., Border Security Force.
4. 132 Bn., Border Security Force.
5. 140 Bn., Border Security Force.
6. Office of the Inspector General, Border Security Force, Baramula, J&K.

[ No. 12017/1/2002-Hindi ]

RAJENDRA SINGH, Director (O)

कार्मिक, लोक शिफायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 5 जून, 2002

का.आ. 2009.—केन्द्रीय सरकार एतद्द्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कर्नाटक राज्य सरकार की अधिसूचना सं. एचडी 187 पीसीआर 2001 दिनांक 12-11-2001 द्वारा प्राप्त कर्नाटक राज्य सरकार की सहमति से दिल्ली विशेष पुलिस स्थापना, के.अ.ड्यूरो, एसीबी बंगलूर में दर्ज मामला आरसी 31-(ए)/2001-बंगलूर में श्री एस.बी. बेंकेशमूति, प्रभागीय अभियंता, टेलीकम्यूनिकेशन कर्नाटक सचिव, बंगलूर और अन्य लोक सेवक अथवा व्यक्ति के विरुद्ध भ्रष्टाचार निवारण अधिनियम, 1988 की धारा 13(2) सपठित धारा 13(1) (ई) के अधीन दंडनीय अपराधों तथा उपर्युक्त अपराधों में से एक अथवा अधिक से संबंधित अथवा संसक्त प्रयत्नों, बुद्धि-रणों और षडयंत्र तथा उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध और अपराधों का अन्वेषण करने के लिए दिल्ली विशेष दिल्ली पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण कर्नाटक राज्य पर करती है ।

[सं. 228/35/2002-ए.वी.डी.-II]

परमा नन्द, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC  
GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 5th June, 2002

S.O.2029.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Karnataka vide Notification No. HD 187 PCR 2001 dated 12-11-2001 hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Karnataka for investigation of offences punishable under section 13(2) read with 13(1)(c) of the Prevention of Corruption Act, 1988 (Act No. 49 of 1988), and attempts, abetments and conspiracy in relation to the aforesaid offence and any other offence committed in the course of the same transaction or arising out of the same facts against Shri S.V. Venkateshmurthy, Divisional Engineer, Telecommunication Karnataka Circle Bangalore and other public servant or person registered with CBI/ACB/Bangalore vide RC-31(A)/2001-BLR.

[No. 228/35/2002-AVD-II]

PARMA NAND, Under Secy.

नई दिल्ली, 7 जून, 2002

का.प्र. 2030.—केन्द्रीय सरकार एतद्द्वारा दंड प्रक्रिया संहिता 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित अधिवक्ताओं को महाराष्ट्र राज्य में विचारण न्यायालयों में निवेशक के.प्र.प्यूरों द्वारा उन्हें सौंपे गए दिल्ली विशेष पुलिस स्थापना (के.प्र.प्यूरों) द्वारा संस्थित मामलों के अभियोजन तथा विधि द्वारा स्थापित पुनरीक्षण अथवा अपीलीय न्यायालयों में इन मामलों से उद्भूत अन्य विषयों का संचालन करने के लिए विशेष लोक अभियोजक के रूप में नियुक्त करती है :

सर्वश्री

1. एस.एल.देशपाण्डे
2. हीरानंद कक्कनानी
3. सुरेश शंकर घोलकर
4. रविन्द्र नाथ मिश्रा
5. अरुण रघुनाथ गुप्ता
6. राजकृष्ण उर्फ राज भास्कर ठाकरे
7. वीरेन्द्र हिममलाल पारिख
8. विनायक डी. बिच्छू
9. श्रीरज उमेश मिराजकर

10. विमल काकीदास गुप्ता
11. सुश्री नयनारा विनायक राव
12. अवधुत मधुकर चिमालकर
13. सुश्री अरुणा रमाकान्त कामथ
14. सुश्री कीर्ती श्यामराव सामंत
15. सुश्री पूनम हरिकृष्ण मारिया

\*[सं. 225/23/2000-ए.वी.डी.-II]

परमा नन्द अवसर सचिव

New Delhi, the 7th June, 2002

S.O. 2030.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints the following Advocates as Special Public Prosecutors for conducting the prosecution of cases instituted by the Delhi Special Police Establishment (CBI) in the State of Maharashtra as entrusted to them by the Director, Central Bureau of Investigation, in the trial Courts and appeals/revisions or other matter arising out of these cases in revisional or appellate Courts established by law :

S/Shri

1. S. L. Deshpande,
2. Hiranand Kaknani
3. Suresh Shankar Gholkar
4. Robindra Nath Mishra
5. Arun Ragnath Gupta
6. Raj Kumar & Raj Bhasker Thakare
7. Virendra Himatlal Parikh,
8. Vinayak D. Bichu.
9. Dhiraj Umesh Mirajkar.
10. Vimal Kalidash Gupta.
11. Miss Nayantara Vinayak Rao,
12. Avadhut Madhukar Chimalkar.
13. Ms. Aruna Ramakant Kamath.
14. Ms. Kirti Shamrao Samant.
15. Ms. Poonam Hari Krishan Maria.

[No. 225/23/2000-AVD-II]

PARMA NAND, Under Secy.

नई दिल्ली, 10 जून, 2002

का.आ. 2031.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कर्नाटक राज्य सरकार की अधिसूचना सं. एचडी 29 पीसीआर 2002 दिनांक 12 फरवरी, 2002 द्वारा प्राप्त कर्नाटक राज्य सरकार की सहमति से दिल्ली विशेष पुलिस स्थापना, के.आ. ब्यूरो, एसीबी, बंगलूर में दर्ज मामला भारसी-5(ए)/2002 बंगलूर में श्री एम.वी. विद्या सागर, स्टाफ नं. 1781, सहायक इंजीनियर (योजना) आई.टी.आई. लि., बंगलूर कांम्प्लेक्स, दूरवाणीनगर, बंगलूर-560016 और अन्य लोक सेवक अथवा व्यक्ति के विरुद्ध भारतीय दंड संहिता, 1860 की धारा 120-बी संपठित धारा 420 और भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का अधिनियम सं. 49) की धारा 13(2) संपठित धारा 13(1)(ई) के अधीन दंडनीय अपराधों और उपर्युक्त अपराधों में से एक अथवा अधिक से संबंधित अथवा संसक्त प्रयत्नों, कुप्रेरणों और षडयंत्र तथा उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध और अपराधों के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण कर्नाटक राज्य पर करती है।

[सं. 228/34/2002-ए.बी.जी.-II(i)]

परमा नन्द, अवर सचिव

New Delhi, the 10th June, 2002

S. O. 2031.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Karnataka vide Notification No. HD 29 PCR 2002 dated 12th February, 2002 hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Karnataka for investigation of offences punishable under sections 120-B read with 420 of Indian Penal Code, 1860 and section 13(2) read with 13(1)(e) of the Prevention of Corruption Act, 1988 (Act No. 49 of 1988), and attempts, abetments and conspiracy in relation to or in connection with one or more of the offence mentioned above and any other offence and offences committed in the course of the same transaction or arising out of the same facts against Shri M. V. Vidya Sagar, staff No. 1781, Assistant Engineer (Planning) I. T. I. Limited, Bangalore Complex, Doorvaninagar, Bangalore-560016, and other

public servant or person registered with DSPE/CBI/ACB/Bangalore vide RC-5 (A)/2002-BLR.

[No. 228/34/2002-AVD-II(i)]

PARMA NAND, Under Secy.

नई दिल्ली, 10 जून, 2002

का.आ. 2032.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कर्नाटक राज्य सरकार की अधिसूचना सं. एचडी 35 पीसीआर 2002 दिनांक 19-02-2002 द्वारा प्राप्त कर्नाटक राज्य सरकार की सहमति से दिल्ली विशेष पुलिस स्थापना, के.आ. ब्यूरो, एसीबी, बंगलूर में, दर्ज मामला भारसी-8(ए)/2002 बंगलूर में (1) श्री बी.बी. धर्सेत, प्रबंधक, भारतीय स्टेट बैंक, जीवन बीमा नगर ब्रांच, बंगलूर (2) श्री आर. योहन, अध्यक्ष, बीएनमार्टीसीएस, बंगलूर (3) श्री नरेन्द्र, पार्टनर, मैसर्स देवी इंटरनेशनल, बंगलूर और अन्य लोक सेवक अथवा व्यक्ति के विरुद्ध भारतीय दंड संहिता, 1860 की धारा 120-बी संपठित धारा 409 एवं 420 और भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का अधिनियम सं. 49) की धारा 13(2) संपठित धारा 13(1)(सी) के अधीन दंडनीय अपराधों और उपर्युक्त अपराधों में से एक अथवा अधिक से संबंधित अथवा संसक्त प्रयत्नों कुप्रेरणों और षडयंत्र तथा उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध और अपराधों के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण कर्नाटक राज्य पर करती है।

[सं. 228/34/2002-ए.बी.जी.-II(ii)]

परमा नन्द, अवर सचिव

New Delhi, the 10th June, 2002

S. O. 2032.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Karnataka vide Notification No. HD 35 PCR 2002 dated 19-3-2002, hereby extends the powers and jurisdiction of the members of Delhi Special Police Establishment to the whole of the State of Karnataka for investigation of offences punishable under section 120-B read with 409 and 420 Indian Penal Code, 1860 and section 13(2) read with 13(1)(c) of Prevention of Corruption Act, 1988 (Act No. 49 of 1988), and attempts, abetments and conspiracy in relation to or in connection with one or more of the offence mentioned above and any



other offence and offences committed in the course of the same transaction or arising out of the same facts against (1) Shri B. V. Vasanth, Manager, State Bank of India, Jeevan Bhima Nagar Branch, Bangalore, (2) Shri R. Yohan, President, BNRTCS, Bangalore, (3) Shri Narendra, Partner, M/s. Devi International, Bangalore and other public servant or person registered with DSPE/CBI/ACB/Bangalore vide RC-8 (A) 2002-BLR.

[No. 228/34/2002-AVD-II (ii)]

PARMA NAND, Under Secy.

नई दिल्ली, 10 जून, 2002

का.आ. 2033.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कर्नाटक राज्य सरकार की अधिसूचना सं. एचडी. 40 पीसीआर 2002 दिनांक 27 फरवरी, 2002 द्वारा प्राप्त कर्नाटक राज्य सरकार की सहमति से दिल्ली विशेष पुलिस स्थापना, के.ए. ध्यूरो, एस।बी. बंगलौर में दर्ज मामला धारसी-9(ए)/2002 बंगलौर में श्री जी.एस. गौस, कार्यपालक इंजीनियर, भारत संचार निगम लिमिटेड, सिविल डिविजन, II तल, एस.एस. काम्प्लेक्स, वी.एच. रोड, शिमोगा और अन्य लोक सेवक अथवा व्यक्ति के विरुद्ध भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का अधिनियम सं. 49) की धारा 7 के अधीन दंडनीय अपराधों और उपर्युक्त अपराधों में से एक अथवा अधिक से संबंधित अथवा संसक्त प्रयत्नों, दुष्करणों और षडयंत्र तथा उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध और अपराधों के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण कर्नाटक राज्य पर करती है।

[सं. 228/34/2002-ए.वी.डी.-II(iii)]

परमा नन्द, अवर सचिव

New Delhi, the 10th June, 2002

S.O. 2033.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Karnataka vide Notification No. HD 40 PCR 2002 dated 27th February, 2002, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Karnataka for investigation of offences punishable under section 7 of the Prevention of Corruption Act, 1988

(Act No. 49 of 1988); and attempt, abetment and conspiracy in relation to or in connection with the offence mentioned above and any other offence or offences committed in the course of the same transaction or arising out of the same facts against Shri G. S. Gangaiah, Executive Engineer, Bharat Sanchar Nigam Limited, Civil Division, II Floor, S. S. Complex, B. H. Road, Shimoga and other public servant or person registered with DSPE/CBI/ACB/Bangalore vide RC-9 (A)/2002-BLR.

[No. 228/34/2002-AVD-II (iii)]

PARMA NAND, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 23 मई, 2002

का.आ. 2034.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 के नियम 23 के साथ पठित आयकर अधिनियम 1961 की धारा 10(23छ) के प्रयोजनार्थ कर निर्धारण वर्ष 2001-2002, 2002-2003 और 2003-2004 के लिए नीचे पैरा 3 में उल्लिखित उद्यम को अनुमोदित करती है।

2. यह अनुमोदन इस शर्त के अधीन है कि :-

(1) उद्यम आयकर नियमावली, 1962 के नियम 23 के साथ पठित आयकर अधिनियम, 1961 की धारा (23छ) के उपबंधों के अनुसृत होगा और उनका अनुपालन करेगा,

(2) केन्द्र सरकार यह अनुमोदन वापस ले लेगी यदि उद्यम :-

(क) अवसंरचनात्मक सुविधा को जारी रखना बंद कर देता है, और

(ख) खातावहियों का रख-रखाव नहीं करता है तथा आयकर नियमावली 1962 के नियम 23 के उप-नियम (7) द्वारा यथा अपेक्षित किसी लेखाकार द्वारा ऐसे खातोंकी लेखा परीक्षा नहीं कराता है, अथवा

(ग) आयकर नियमावली, 1962 के नियम 23 उपनियम (7) द्वारा यथा अपेक्षित लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करता है।

3. अनुमोदित उद्यम है: मैसर्स यूनिवर्सल एग्री प्रोड्यूस एक्सपोर्ट (प्रा.) लि., और न्यू मंगलौर के पक्कन के न्यासियों के बीच हुए दिनांक 13-6-97 के करार के अंतर्गत मैसर्स यूनिवर्सल एग्री प्रोड्यूस एक्सपोर्ट (प्रा.) लि., 76 सी.पी. रामसामी रोड, अम्बलसेट्ट, चेन्नई-600018

द्वारा न्यू मंगलौर पत्तन में एक बल्क लिक्विड स्टोरेज टर्मिनल का विकास अनुरक्षण और प्रचालन करना।

[अधिसूचना सं. 116/2002/फा.सं. 205/71/2000-आ.-

क.नि.-II]

संगीता गुप्ता, निदेशक

## MINISTRY OF FINANCE

(Department of Revenue)

(Central Board of Direct Taxes)

New Delhi, the 23rd May, 2002

S.O.2034.—It is notified for general information that enterprise, listed at para (3) below has been approved by the Central Government for the purpose of section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962, for the assessment years 2001-2002, 2002-2003 and 2003-2004.

2. The approval is subject to the condition that—

- (i) the enterprise will conform to and comply with the provisions of section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962;
- (ii) the Central Government shall withdraw this approval if the enterprise :—
  - (a) ceases to carry on infrastructure facility; or
  - (b) fails to maintain books of account and get such accounts audited by an accountant as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962; or
  - (c) fails to furnish the audit report as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962.

3. The enterprise approved is—developing, maintaining and operating bulk liquid storage terminals at New Mangalore Port by M/s Universal Agro Produce Exports (P) Ltd., 76, C. P. Ramasamy Road, Alwarpet, Chennai-600018, under the agreement dated 13-6-97 between M/s. Universal Agro Produce Exports (P) Ltd. and the trustees of the Port of New Mangalore.

[Notification No. 116/2002/F. No. 205/71/2000-ITA-II]

SANGEETA GUPTA, Director

नई दिल्ली, 23 मई, 2002

का. आ. 2035.—सर्वसाधारण की जानकारी के लिए यह अधिसूचना किया जाता है कि केन्द्र सरकार आयकर

नियमावली, 1962 के नियम 2E के साथ पठित आयकर अधिनियम, 1961 की धारा 10(23G) के प्रयोजनार्थ कर निर्धारण वर्ष 2001-2002, 2002-2003 और 2003-2004 के लिए नीचे पैरा 3 में उल्लिखित उद्यम को अनुमोदित करती है।

2. यह अनुमोदन इस शर्त के अधीन है कि :—

(i) उद्यम आयकर नियमावली, 1962 के नियम 2E के साथ पठित आयकर अधिनियम, 1961 की धारा 10(23G) के उपबन्धों के अनुरूप होगा और उनका अनुपालन करेगा,

(ii) केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि उद्यम :

- (क) अवसंरचनात्मक सुविधा को जारी रखना बंद कर देता है, और
- (ख) खाता-बहियों का रख-रखाव नहीं करता है तथा आयकर नियमावली, 1962 के नियम 2E के उप-नियम (7) द्वारा यथाअपेक्षित किसी लेखाकार द्वारा ऐसे खातों की लेखा परीक्षा नहीं कराता है, अथवा
- (ग) आयकर नियमावली, 1962 के नियम 2E के उपनियम (7) द्वारा यथाअपेक्षित लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करता है।

3. अनुमोदित उद्यम है : मैसर्स विराज एग्रो प्रोडक्ट्स (प्रा.) लि. और जवाहर लाल नेहरू पत्तन के न्यासियों के बीच हुए दिनांक 22-10-99 के करार के अंतर्गत मैसर्स विराज एग्रो प्रोडक्ट्स (प्रा.) लि., 76, सी.पी. रामासामी रोड, अलवरपेट, चेन्नई-600018, भारत द्वारा जवाहर लाल पत्तन में बल्क लिक्विड स्टोरेज टर्मिनल्स का विकास, अनुरक्षण और प्रचालन करना।

[अधिसूचना सं. 117/2002/फा.सं. 205/53/2000-

आ.क.नि. II]

संगीता गुप्ता, निदेशक

New Delhi, the 23rd May, 2002

S.O.2035.—It is notified for general information that enterprise, listed at para (3) below has been approved by the Central Government for the purpose of section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962, for the assessment years 2001-2002, 2002-2003 and 2003-2004.

2. The approval is subject to the condition that—

- (i) the enterprise will conform to and comply with the provisions of section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the income-tax Rules, 1962.

(ii) the Central Government shall withdraw this approval if the enterprise:—

- (a) ceases to carry on infrastructure facility; or
- (b) fails to maintain books of account and get such accounts audited by an accountant as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962; or
- (c) fails to furnish the audit report as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962.

3. The enterprise approved is—developing, maintaining and operating bulk liquid storage terminals at Jawahar Lal Nehru Port by M/s. Viraj Agro Products (P) Ltd., 76. C. P. Ramsamy Road, Alwarpet, Chennai-600018, India, under the agreement dated 22-10-99 between M/s. Viraj Agro Products (P) Ltd. and the trustees of the Port of Jawahar Lal Nehru Port (F.No. 205/53/2000-ITA-II).

[Notification No. 117/2002/F. No. 205/53/2000-ITA-II]

SANGEETA GUPTA, Director

नई दिल्ली, 7 जून, 2002

का.आ. 2036.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में राजस्व विभाग के निम्नलिखित कार्यालय, जिसके 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है:—

आयकर अधिकारी,

आयकर कार्यालय, कुल्लू,

(हि० प्र०), पिन-175101

[फा. सं. 11011/5/2002-हिन्दी-3]

मधु शर्मा, उपनिदेशक (राजभाषा)

New Delhi, the 7th June, 2002

S.O.2036—In pursuance of Sub rule (1) of rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976, the Central Government, hereby notifies the following office of the Department of Revenue, where of more than 80% of the staff have acquired the working knowledge of Hindi :

Income Tax Officer,

Income Tax Office,

Kullu (H.P.) Pin : 175101.

[F. No. 11011/5/2002-Hindi-3]

MADHU SHARMA, Deputy Director (O.L.)

नई दिल्ली, 31 मई, 2002

(आयकर)

का.आ. 2037.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (5)

द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “सुंदरम चैरिटीज, चेन्नई” को वर्ष 2002-2003 से 2004-2005 तक के कर निर्धारण वर्षों के लिए निम्न-लिखित शर्तों के अधीन रहते हुए उस खंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

(i) कर निर्धारिती उसकी आय का इस्तेमाल अथवा उसकी आय का इस्तेमाल करने के लिए उसका संशयन पूर्णतया तथा अन्वयतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;

(ii) कर निर्धारिती उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से उसकी निधि (जैवर जवाहिरात, फर्निचर अथवा किमी अन्य वस्तु आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएँ नहीं रखी जाती हों;

(iv) कर निर्धारिती आयकर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष फाइल करेगा;

(v) विषय की स्थिति में प्रतिरिक्त शक्तियों और परिसंपत्तियाँ समान उद्देश्यों वाले धर्म मंदािर को दे दी जाएंगी।

[अधिसूचना सं. 125/2002 फा. सं. 197/50/2002-आयकर नि.-I]

आई. पी. एस. बिन्द्रा, अवर सचिव

New Delhi, the 31st May, 2002

(INCOME TAX)

S.O. 2037.—In exercise of the powers conferred by the sub-clause (v) of clause (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the “Sundaram Charities, Chennai” for the purpose of the said sub-clause for the assessment years 2002-2003 to 2004-2005 subject to the following conditions, namely:—

(i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established.

(ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11.

(iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

(iv) the assessee will regularly file its return of income before the income-tax authority in accordance with the provisions of the Income-tax Act, 1961.

(v) that in the event of dissolution its surplus and the assets will be given to a charitable organisation with similar objectives.

[Notification No. 125/2002/F. No. 197/50/2002-ITA-I]  
I.P.S. BINDRA, Under Secy.

नई दिल्ली, 31 मई, 2002

(आयकर)

का.आ. 2038.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा “श्री गणपति मन्विदानन्द अवधूत दत्त पीठ ट्रस्ट (आर.) मैसूर” को 2002-2003 से 2004-2005 तक के कर निर्धारण वर्षों के लिए निम्नलिखित शर्तों के अधीन करे हुए उक्त उद्देश्यों के समर्थन के लिए प्रविष्टि करती है, अर्थात् :—

(i) कर निर्धारिती उसकी आय का उपयोग अथवा उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है,

(ii) कर निर्धारिती उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से उसकी निधि (जैवर जवाहिरात, फर्नीचर अथवा किसी अन्य वस्तु आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ

तथा अभिलाष हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रारम्भिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएँ नहीं रखी जाती हो;

(iv) कर निर्धारिती आयकर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष फाइल करेगा;

(v) सोसायटी के विघटन की स्थिति में अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले धर्मार्थ संगठन को दे दी जाएगी ।

[अधिसूचना सं. 128/2002/फा. सं. 197/105/2002-  
आयकर नि. I]

आई. पी. एस. बिन्द्रा, अवर सचिव

New Delhi, the 31st May, 2002

(INCOME TAX)

S.O. 2038.—In exercise of the powers conferred by the sub-clause (v) of clause (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the “Sri Ganapati Sachchidananda Avadhoota Datta Peetha Trust (R), Mysore” for the purpose of the said sub-clause for the assessment years 2002-2003 to 2004-2005 subject to the following conditions, namely :—

(i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established.

(ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

(iv) the assessee will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961.

(v) that in the event of dissolution its surplus and the assets will be given to a charitable organisation with similar objectives.

[Notification No. 128/2002/F. No. 197/105/2002-ITA-I]  
I. P. S. BINDRA, Under Secy.

नई दिल्ली, 31 मई, 2002

(आयकर)

का.आ. 2039—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "पेट्रोलियम स्पोर्ट्स कंट्रोल बोर्ड, नई दिल्ली" को 2002-2003 तक के कर निर्धारण वर्षों के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त खंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती उसकी आय का हस्तेमाल अथवा उसकी आय का हस्तेमाल करने के लिए उसका संभयन इस प्रकार के संभयन हेतु उक्त खंड (23) द्वारा यथा संशोधित धारा 11 की उपधारा (2) और (3) के उपबंधों के अनुरूप पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है,
- (ii) कर-निर्धारिती उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से उसकी निधि (जेवर जवाहिरात फर्नीचर अथवा किसी अन्य वस्तु, जिसे उपर्युक्त खंड (23) के तीसरे परंतुक के अधीन बोर्ड द्वारा अधिसूचित किया जाए, के रूप में प्राप्त तथा अनुरक्षित स्वीकृत्य ग्रंथदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा,
- (iii) कर-निर्धारिती इसके सदस्यों को किसी भी तरीके से इसकी आय के किसी भाग का संवितरण इससे संबद्ध किसी एसोसिएशन अथवा संस्था को को अनुदान के अलावा नहीं करेगा, और
- (iv) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अधिलाभ हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 129/2002 फा. सं. 196/8/2002-  
आयकर लि. I]

आई. पी. एस. बिन्द्रा अवर सचिव

New Delhi, the 31st May, 2002

(INCOME TAX)

S.O. 2039 —In exercise of the powers conferred by clause (23) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Petroleum Sports Control Board, New Delhi

Delhi" for the purpose of the said clause for the assessment year 2002-2003 subject to the following conditions namely:—

- (i) the assessee will apply its income, or accumulate it for application, in consonance with the provisions of sub-section (2) and (3) of Section 11 as modified by the said clause (23) for such accumulation wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture or any other article as may be notified by the Board under the third provision to the aforesaid clause (23) for any period during the previous years relevant to the assessment years mentioned above otherwise than in anyone or more of the forms or modes specified in sub-section (5) of Section 11.
- (iii) the assessee will not distribute any part of its income, in any manner to its members except as grants to any association or institution affiliated to it, and
- (iv) this notification will not apply in relation to any income, being profits and gains of business, unless the business is incidental to the attainments of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 129/2002/F. No. 196/8/2002-ITA-I]  
I.P. S. BINDRA, Under Secy.

कार्यालय, आयुक्त : केन्द्रीय उत्पाद एवं सीमा शुल्क

भोपाल, 05 जून, 2002

संख्या 2/2002

का.आ. 2040.—श्री एस.सी. मोहनिया, अधीक्षक, समूह "ख" कार्यपालन अधिकारी केन्द्रीय उत्पाद एवं सीमा शुल्क आयुक्तालय, भोपाल का देहावसान दिनांक 24-05-2002 को हो गया है।

[फा.सं. II(25)01/2000/स्था.-I]  
भीखू राम, अपर आयुक्त (का./स.)

OFFICE OF THE COMMISSIONER, CUSTOMS  
AND CENTRAL EXCISE.

Bhopal the 5th June, 2002

No. 2/2002

S.O.2040.—Shri S. C. Mohania, Superintendent Group 'B' Central Excise & Customs, Bhopal Commissionerate has passed away on 24/05/2002.

[C.No.II(25)01/2000/Estt.I]  
BHIKHOO RAM, Add. Commissioner (P&V)

भोपाल, 5 जून, 2002

संख्या 2/2002

का.आ. 2041—श्री एस.सी. मोहनिया, अधीक्षक, समूह "ख" कार्यापालन अधिकारी, केन्द्रीय उत्पाद एवं शुल्क प्रायुक्तालय, भोपाल का देहावसान दिनांक 24-05-2002 को हो गया है।

[प. सं. II(25)01/2000/स्था. I]

भीखू राम अपर आयुक्त(का/स)

Bhopal, the 5th June, 2002

No. 2/2002

S.O. 2041.—Shri S.C. Mohania, Superintendent Group 'B' Central Excise & Customs, Bhopal Commissionerate has passed away on 24-05-2002.

[C. No. II (25) 01/2000/Estt.-I]

BHIKHOO RAM, Add. Commissioner (P&amp;V)

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 5 जून, 2002

का.आ. 2042 : राष्ट्रीय आवास बैंक अधिनियम, 1987 (1987 का 53) की धारा 6 की उपधारा (1) के खण्ड (ड) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार, एतद्वारा, श्री विल्फ्रेड लाकड़ा, संयुक्त सचिव, ग्रामीण विकास मंत्रालय को तत्काल प्रभाव से और अगले आदेश तक श्री सतीश चन्द्रा के स्थान पर राष्ट्रीय आवास बैंक के निदेशक मण्डल में निदेशक के रूप में नियुक्त करती है।

[फा.सं. 7/15/2000-बी.ओ.-I]

रमेश चन्द, अवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 5th June, 2002

S.O.2042.—In exercise of the powers conferred by clause (e) of sub-section (1) of Section 6 of the National Housing Bank Act, 1987 (53 of 1987), the Central Government, hereby appoints Shri Witred

Lakra, Joint Secretary, Ministry of Rural Development as Director on the Board of Directors of the National Housing Bank with immediate effect and until further orders vice Shri Satish Chandra.

[F.No.7/15/2000-B.O.I]

RAMESH CHAND, Under Secy.

नई दिल्ली, 11 जून, 2002

का.आ. 2043:—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबन्ध) स्कीम, 1980 के खण्ड 3 के उपखण्ड (1) के साथ पठित बैंककारी कम्पनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1980 की धारा 9 की उपधारा (3) के खंड (ग) द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार, एतद्वारा, श्री ए.पी. होता, महाप्रबन्धक, भारतीय रिजर्व बैंक, बंगलौर को तत्काल प्रभाव से अगले आदेश तक श्री आर. अचर के स्थान पर विजया बैंक के निदेशक के रूप में नामित करती है।

[फा.सं. 9/18/2000-बी.ओ.-I(ii)]

रमेश चन्द, अवर सचिव

New Delhi, the 11th June, 2002

S.O. 2043:—In exercise of the powers conferred by clause (c) of Sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 read with sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980 the Central Government hereby nominates Shri A.P. Hota, General Manager, Reserve Bank of India, Bangalore as a Director of Vijaya Bank with immediate effect and until further orders vice Shri R. Achar.

[F. No. 9/18/2000-B.O.I. (ii)]

RAMESH CHAND, Under Secy.

नई दिल्ली, 11 जून, 2002

का.आ. 2044:—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा (3) के खंड (ग) द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार, एतद्वारा, निम्नलिखित सारणी के कालम (2) में उल्लिखित व्यक्तियों को उक्त सारणी के कालम (3) में उल्लिखित व्यक्तियों के स्थान पर कालम (1) में उल्लिखित राष्ट्रीयकृत बैंकों के निदेशक के रूप में तत्काल प्रभाव से अगले आदेश तक के लिए नामित करती है।

## सारणी

बैंक का नाम	प्रस्तावित व्यक्ति का नाम	मौजूदा निदेशकों के नाम
1	2	3
इलाहाबाद बैंक	श्री सुरिन्दर कुमार, नामोदिष्ट आर डी, भारतीय रिजर्व बैंक, गुवाहाटी	श्री आनन्द सिन्हा
बैंक ऑफ बड़ोदा	श्री आनन्द सिन्हा, मुख्य महाप्रबन्धक, बी आई सी जी सी, मुम्बई	श्रीमती ऊषा थोराट
सेंट्रल बैंक ऑफ इंडिया	श्री आर. गांधी, मुख्य महाप्रबन्धक, भारतीय रिजर्व बैंक, सूचना प्रौद्योगिकी विभाग, केन्द्रीय कार्यालय, मुम्बई	डा. टी. सी. नायर
इंडियन ओवरसीज बैंक	श्री बी. घोष, क्षेत्रीय निदेशक, भारतीय रिजर्व बैंक, चेन्नई	श्री आर. गांधी
यूको बैंक	श्री एन. एच. सिद्धिकी, क्षेत्रीय निदेशक, भारतीय रिजर्व बैंक, भुवनेश्वर	श्री पी. के. मिश्रा

[फा.सं. 9/18/2000-बी० प्रो०-I(i)]

रमेश चन्द, अवर सचिव

New Delhi, the 11th June, 2002

S.O. 2044.—In exercise of the powers conferred by clause (c) of sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, read with sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970 the Central Government, hereby nominates the persons specified in column 2 of the table below as Directors of the nationalised banks specified in column (1) thereof in place of the persons specified in column (3) of the said Table, with immediate effect and until further orders.

TABLE

Name of the bank	Name of person proposed	Name of the existing directors
1	2	3
Allahabad Bank	Shri Surinder Kumar, RD designate, Reserve Bank of India, Guwahati	Shri Anand Sinha
Bank of Baroda	Shri Anand Sinha, Chief General Manager, DICGC, Mumbai.	Smt. Usha Thorat

1	2	3
Central Bank of India	Shri R. Gandhi, Chief General Manager, Reserve Bank of India, Department of Information Technology, Central Office, Mumbai	Dr. T.C. Nair
Indian Overseas Bank	Shri B. Ghosh, Regional Director, Reserve Bank of India, Chennai	Shri R. Gandhi
UCO Bank	Shri N. H. Siddiqui, Regional Director, Reserve Bank of India, Bhubaneswar	Shri P. K. Mishra

नई दिल्ली, 12 जून, 2002

का.भा. 2045.—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा (3) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा, निम्नलिखित व्यक्तियों को 12 जून, 2002 से तीन वर्ष की अवधि के लिए पंजाब एंड सिंध बैंक में अंशकालिक गैर-सरकारी निदेशक के रूप में नामित करती है:—

1. श्री योगेन्द्र सिंह, बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा ईस्ट आफ किलाश, (3क) के साथ पठित उप धारा नई दिल्ली। (3) के खण्ड (ज) के अनुसरण में।
2. श्री दीपक सिंह, —तदेव—  
बी-113, सर्वोदय एंक्लेव  
नई दिल्ली-110017
3. श्री सुनील नवीनचन्द्र —तदेव—  
मेहुता,  
903, पूर्णा, 68/68क,  
सर प्रोबलाखदासा रोड,  
वर्ली, मुम्बई-23

[का.सं. 9/17/2000-बी०ओ०-I(vi)]

रमेश चन्द, अवर सचिव

New Delhi, the 12th June, 2002

S.O. 2045.—In exercise of the powers conferred by sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management & Miscellaneous Provisions) Scheme, 1970, the Central Government hereby nominates the following persons as part-time non-official directors

[F. No. 9/18/2000-B.O.I. (i)]  
RAMESH CHAND, Under Secy

of Central Bank of India for a period of three years commencing on 12th June, 2002 :—

1. Shri Yogendra Singh, In pursuance of clause 226, Kailash Hills, (h) of sub-section (3) Near C-Block Market, read with sub-section (3A) East of Kailash, of Section 9 of the New Delhi Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970
2. Shri Deepak Singh, -do-  
B-113, Saryodaya Enclave,  
New Delhi-110017
3. Shri Sunil Navinchandra -do-  
Mohta,  
903, Purna, 68/68A, Sir Pochkhanwala Road,  
Worli, Mumbai-23

[F. No. 9/17/2000-B.O.I. (vi)]  
RAMESH CHAND, Under Secy.

नई दिल्ली, 12 जून, 2002

का.भा. 2046.—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबंध) स्कीम, 1980 के खण्ड 3 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1980 की धारा 9 की उपधारा (3) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा निम्नलिखित व्यक्तियों को 12 जून, 2002 से तीन वर्ष



की प्रवधि के लिए पंजाब एंड सिंध बैंक में अंशकालिक गैर-सरकारी निदेशक के रूप में नामित करती है :—

1. श्री सत्यप्रकाश अग्रवाल, बैंककारी कंपनी (उपक्रमों का बी-7, एक्सटेंशन/88/ अर्जन एवं अंतरण) अधिनियम, (बेसमेंट), 1980 की धारा 9 की उपधारा सफदरजंग एन्क्लेव, (3क) के साथ पठित उप धारा नई दिल्ली-110029 3 के खण्ड (ज) के अनुसरण में।
2. श्री राजाले भाऊसाहेब —तदेव—  
बाबासाहेब,  
23, दसमेश नगर,  
ओस्मानपुरा,  
औरंगाबाद।
3. श्री भूपेन्द्र सिंह आनन्द, —तदेव—  
एच-5/2, माडल टाउन,  
दिल्ली।
4. श्री प्रेम कुमार रस्तोगी, —तदेव—  
देवलोक, 439/141,  
हरदोई रोड,  
लखनऊ-3
5. श्री प्रकाश खण्डेलवाल, —तदेव—  
60, लखेरपुरा,  
भोपाल।
6. श्रीमती जहानारा —तदेव—  
जयपाल सिंह,  
30, फिरोजशाह रोड,  
बी-1, दीवान श्री अपार्ट-  
मेंट्स, नई दिल्ली।

[फा.सं. 9/17/2000-बीओ-1(vii)]

रमेश चन्द, अवर सचिव

New Delhi, the 12th June, 2002

S. O. 2046.—In exercise of the powers conferred by sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management & Miscellaneous Provisions) Scheme, 1980, the Central Government, hereby nominates the following persons as part-time non-official director of Punjab & Sind Bank for a period of three years commencing on 12th June, 2002 :—

New Delhi-110029 (Acquisition and Transfer of Undertakings) Act, 1980.

2. Shri Rajale Bhausaheb —do—  
Babasaheb,  
23, Dasimesh Nagar,  
Osmanpura, Aurangabad.
3. Shri Bhupinder Singh Anand, —do—  
H-5/2, Model Town,  
Delhi.
4. Shri Prem Kumar —do—  
Rastogi,  
Devlok, 439/141,  
Hardoi Road,  
Lucknow-3,
5. Shri Prakash Khandelwal, —do—  
60, Lakherapura,  
Bhopal.
6. Mrs. Jahanara Jaipal —do—  
Singh,  
30, Ferozeshah Road,  
B-1, Dewan Shree  
Apartments, New  
Delhi-1.

[F. No. 9/17/2000-B.O.I (vii)]

RAMESH CHAND, Under Secy.

नई दिल्ली, 12 जून, 2002

का.आ. 2047.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1980 के खंड 3 के उपखंड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1980 की धारा 9 की उप-धारा (3) (ज) एवं (3-ए) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री पारस परमेश्वर राव, प्लेट सं. 19, बथीना, अपार्टमेंट्स, अमीरपेट, हैदराबाद को 12 जून, 2002 से तीन वर्ष की प्रवधि के लिए आन्ध्रा बैंक में अंशकालिक गैर-सरकारी निदेशक के पद पर नामित करती है।

[फा.सं. 9/17/2000/बी.ओ.-1(i)]

रमेश चन्द, अवर सचिव

New Delhi, the 12th June, 2002

S.O. 2047.—In exercise of the powers conferred by sub-section (3) (h) and (3-A) of Section 9 of the Banking Companies (Acquisition, and Transfer of Undertakings) Act, 1980 read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management & Miscellaneous Provisions) Scheme, 1980, the Central Government, hereby nominates Shri Parasa

1. Shri Satya Prakash Agarwal, In pursuance of clause (h) of sub-section (3) read with sub-section (3A) of Section 9 of the Banking Companies

Parameshwara Rao, Flat No. 19, Bathina Apartments, Amerpet, Hyderabad as part-time non-official director of Andhra Bank for a period of three years commencing on 12th June, 2002.

[F. No. 9/17/2000-B.O. I(ii)]  
RAMESH CHAND, Under Secy.

नई दिल्ली, 12 जून, 2002

का.ग्रा. 2048.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 3 के उपखंड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उप-धारा (3)(छ) एवं (3-ए) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा श्री अनूप प्रकाश गर्ग, सनदी लेखाकार, 42-ए, चन्द्रलोक कालोनी, खजराना रोड, इन्दौर को 12 जून, 2002 से तीन वर्ष की अवधि के लिए केनरा बैंक में अंशकालिक गैर-सरकारी निदेशक के पद पर नामित करती है।

[फा.सं. 9/17/2000-बी.ओ.-1(ii)]

रमेश चन्द, अव्वर सचिव

New Delhi, the 12th June, 2002

S.O. 2048.—In exercise of the powers conferred by sub-section (3) (g) and (3-A) of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management & Miscellaneous Provisions) Scheme, 1970 the Central Government, hereby nominates Shri Anup Prakash Garg, Chartered Accountant, 42-A, Chandra-lok Colony, Khajrana Road, Indore as part-time non-official director of Canara Bank for a period of three years commencing on 12th June, 2002.

[F. No. 9/17/2000-B.O.-I. (ii)]  
RAMESH CHAND, Under Secy.

नई दिल्ली, 12 जून, 2002

का.ग्रा. 2049.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 3 के उपखंड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा (3)(छ) एवं (3-ए) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा श्री अनीश कुमार शर्मा, सनदी लेखाकार, बी.एम. रलन एंड कंपनी, चार्टर्ड एकाउंटेंट्स, बंसी हाऊस (द्वितीय तल), 1/24, आसफअली रोड, नई दिल्ली-110002 को 12 जून, 2002 से तीन वर्ष की अवधि के लिए यूनियन बैंक आफ इंडिया में अंशकालिक गैर-सरकारी निदेशक के पद पर नामित करती है।

[फा.सं. 9/17/2000-बी.ओ.-1(iii)]

रमेश चन्द, अव्वर सचिव

New Delhi, the 12th June, 2002

S.O. 2049.—In exercise of the powers conferred by sub-section (3) (g) and (3-A) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management & Miscellaneous Provisions) Scheme, 1970 the Central Government, hereby nominates Shri Anish Kumar Sharma, Chartered Accountant, B.M. Rallan & Co., Chartered Accountants, Bansi House (2nd Floor), 1/24, Asaf Ali Road, New Delhi, 110002 as part-time non-official director of Union Banks of India for a period of three years commencing on 12th June, 2002.

[F. No. 9/17/2000-B.O. I(iii)]  
RAMCSH CHAND, Under Secy.

नई दिल्ली, 12 जून, 2002

का.ग्रा. 2050.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 3 के उपखंड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उप-धारा (3)(ज) एवं (3-ए) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा श्री किशालकर नितिन मोरेश्वर, ओएम, 19, कशिप्रा सहनिवास, कार्वेनगर, पुणे को 12 जून, 2002 से तीन वर्ष की अवधि के लिए इंडियन ओवरसीज बैंक में अंशकालिक गैर-सरकारी निदेशक के पद पर नामित करती है।

[फा.सं. 9/17/2000-बी.ओ.-1(iv)]

रमेश चन्द, अव्वर सचिव

New Delhi, the 12th June, 2002

S.O. 2050.—In exercise of the powers conferred by sub-section (3)(h) and (3-A) of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management & Miscellaneous Provisions) Scheme, 1970, the Central Government, hereby nominates Shri Kiwalkar Nitin Moreshwar, OM, 19, Kashipra Sahaniwas, Karvenagar, Pune as part-time non-official director of Indian Overseas Bank for a period of three years commencing on 12th June, 2002.

[F. No. 9/17/2000-B.O. I (iv)]  
RAMESH CHAND, Under Secy.

नई दिल्ली, 12 जून, 2002

का.ग्रा. 2051.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 3 के उपखंड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उप-धारा (3)(ज) एवं (3-ए) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय

सरकार, एतद्द्वारा श्री मदन लाल सभरवाल, 42-बी, वंदना-नगर, एनएक्स, इंदौर को 12 जून, 2002 से तीन वर्ष की अवधि के लिए यूनियन बैंक ऑफ इंडिया में अंशकालिक गैर-सरकारी निदेशक के पद पर नामित करती है।

[फा.सं. 9/17/2000-बी.ओ-1(V)]

रमेश चन्द, अवर सचिव

New Delhi, the 12 June, 2002

S.O. 2051.—In exercise of the powers conferred by sub-section (3) (h) and (3-A) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management & Miscellaneous Provisions) Scheme, 1970 the Central Government hereby nominates Shri Madan Lal Sabharwal, 42-B, Vandana Nagar, NX, Indore as part-time non-official director of Union Bank of India for a period of three years commencing on 12th June, 2002.

[F. No. 9/17/2000-B.O.I. (v)]

RAMESH CHAND, Under Secy.

विदेश मंत्रालय

(सी.पी.वी. प्रभाग)

नई दिल्ली, 29 मई, 2002

का.प्रा. 2052.—राजनयिक कौंसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वां) को धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्द्वारा भारत का प्रधान कौंसलावास जट्टा में श्री अमिफ सईद, सहायक को 29-05-2002 से सहायक कौंसली अधिकारी का कार्य करने के लिए प्राधिकृत करती है।

[सं. टी-4330/01/2002]

योगेश नारंग, उप सचिव (कान्सुलर)

MINISTRY OF EXTERNAL AFFAIRS

(CPV Division)

New Delhi, the 29th May, 2002

S.O. 2052.—In pursuance of the Clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri Asif Saeed Assistant in the Consulate General of India, Jeddah to perform the duties of Assistant Consular Officer with effect from 29-5-2002.

[No. T-4330/01/2002]

Y. C. NARANG, Dy. Secy. (Cons)

नई दिल्ली, 29 मई, 2002

का.प्रा. 2053.—राजनयिक कौंसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वां) को

धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्द्वारा भारत का प्रधान कौंसलावास होशी मिन्ह सिटी में श्री मुरली नायर पी.ए. को 29-05-2002 से सहायक कौंसली अधिकारी का कार्य करने के लिए प्राधिकृत करती है।

[सं. टी-4330/01/2002]

योगेश नारंग, उप सचिव (कान्सुलर)

New Delhi, the 29th May, 2002

S.O. 2053.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officer (Oaths and fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri. Murlji Nair, P.A. in the Consulate General of India Ho Chi Minh city to perform the duties of Assistant Consular Officer with effect from 29-5-2002.

[No. T. 4330/01/2002]

Y. C. NARANG, Dy. Secy. (Cons)

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली 5 जून, 2002

का.प्रा. 2054.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) खण्ड (ख) के अनुसरण में प्रशांत कुमार मुखर्जी, डीन फैंक्टी ऑफ मेडिसिन बी. एन. मण्डल विश्वविद्यालय के बी. एन. मंडल विश्वविद्यालय की सीनेट द्वारा 12 अक्टूबर, 2001 से भारतीय आयुर्विज्ञान परिषद् का सदस्य निर्वाचित किया गया है।

अतः अब केन्द्र सरकार उक्त अधिनियम की धारा 3 की उपधारा (1) के उपबंध के अनुसरण में तत्कालीन स्वास्थ्य मंत्रालय, भारत सरकार की दिनांक 9 जनवरी, 1960 की अधिसूचना सं. का. प्रा. 138 में एतद्द्वारा निम्नलिखित और संशोधन करती है अर्थात् :—

उक्त अधिसूचना में 'धारा 3 की उपधारा (1) के खंड (ख) के अधीन निर्वाचित' शीर्षक के अन्तर्गत निम्नलिखित क्रम संख्या और प्रविष्टियां प्रतिस्थापित की जाएंगी अर्थात् :—

“78. डा. प्रशांत कुमार मुखर्जी, बी.एन. मंडल डीन, फैंक्टी ऑफ मेडिसिन विश्वविद्यालय”  
बी. एन. मंडल विश्वविद्यालय,  
लालू नगर,  
माधेपुरा-852113 ( बिहार)

[संख्या बी-11013/2/2002—एम ई (नीति-I)]

एस. के. मिश्रा, अवर सचिव

पाद टिप्पण : मूल अधिसूचना भारत के राजपत्र में दिनांक 9-1-1960 की का.प्रा. संख्या 138 के तहत प्रकाशित हुई थी।

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 5th June, 2002

S.O. 2054.—Whereas in pursuance of clause (b) of sub-section (1) of Section 3 of the Indian Medical Council Act, 1956 (102 of 1956) Dr. Prasanta Kumar Mukherjee, Dean Faculty of Medicine, B.N. Mandal University has been elected by Senate of B.N. Mandal University to be a member of the Medical Council of India with effect from 12th October, 2001.

Now, therefore, in pursuance of the provision of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the Notification of the Government of India in the then Ministry of Health number S.O. 138, dated the 9th January, 1960, namely :—

In the said Notification, under the heading, 'Elected under clause (b) of sub-section (1) of section 3', the following serial number and entries shall be added, namely :—

“78. Dr. Prasanta Kumar Mukherjee, B. N.  
Dean, Faculty of Medicine, Mandal  
B.N. Mandal University, University”  
Laloo Nagar,  
Mandhe Pura-852113 (Bihar)

[No. V-11013/2/2002-ME (Policy-I)]  
S. K. MISHRA, Under Secy.

Footnote : The Principal notification was published in the Gazette of India, vide S.O. 138 dated 9-1-1960

(भारतीय चिकित्सक पद्धति एवं होम्योपैथी विभाग)

नई दिल्ली, 6 जून, 2002

का.प्रा. 2055.—केन्द्रीय सरकार होम्योपैथी केन्द्रीय परिषद् अधिनियम, 1973 (1973 का 59) की धारा 13 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय होम्योपैथी परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की दूसरी अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त दूसरी अनुसूची में “महाराष्ट्र” शीर्षक के नीचे शिवाजी विश्वविद्यालय से संबंधित क्रम-संख्याक “12 घ” और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्याक और प्रविष्टियाँ प्रतिस्थापित की जाएंगी अर्थात् :—

1	2	3	4
12 घ शिवाजी विश्वविद्यालय	बैचलर ऑफ होम्योपैथिक मेडिसिन एंड सर्जरी	बी.एच.एमएस	1990 से आगे”

[संख्या बी. 27021/04/89 होम्यो. डेस्क]  
एम. पी. रामाराव, डेस्क अधिकारी (होम्यो)

टिप्पणः—मुख्य अधिसूचना भारत के राजपत्र, असाधारण, भाग-II, खंड -I में का.प्रा. संख्या 76, तारीख 20 दिसम्बर, 1973 द्वारा प्रकाशित हुई थी तथा उसमें पिछली बार का.प्रा. संख्या 97 (अ), तारीख 23 जनवरी, 2002 द्वारा संशोधन किया गया था।

(Department of Indian Systems of Medicine and Homoeopathy)

New Delhi, the 6th June, 2002

S.O. 2055.—In exercise of the powers conferred by sub-section (2) of Section 13 of the Homoeopathy Central Council Act, 1973 (59 of 1973), the Central Government after consulting the Central Council of Homoeopathy, hereby makes the following further amendment in the Second Schedule to the said Act, namely :—

In the said Second Schedule, under the heading “Maharashtra”, against serial number “12D” relating to Shivaji University and the entries relating thereto, the following serial number and entries shall be substituted, namely :

1	2	3	4
“12D Shivaji University	Bachelor of Homoeopathic Medicine and Surgery	B.H.M.S.	From 1990 onwards”

[No. V. 27021/04/89-Homoeo Desk]

M. P. RAMA RAO, Desk Officer (Homoeo)

Note : The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 1, vide S.O. No. 76, dated the 20th December, 1973 and last amended vide S.O. No. 97(E), dated the 23rd January, 2002.

वस्त्र मंत्रालय

नई दिल्ली, 4 जून, 2002

का.प्रा. 2056.—केन्द्र सरकार एतद्वारा अधिसूचित करती है कि केन्द्रीय रेगम बोर्ड अधिनियम, 1948 (1948 का 61) की धारा 4 की उपधारा (3) के उपनियम (ग) के अनुसरण में, राज्य सभा ने राज्य-सभा के सदस्य के रूप में श्री के. सी. कोन्डिया का कार्यकाल समाप्त हो जाने पर,

उनके स्थान पर श्री एम. वी. राजशेखरन, सदस्य, राज्य सभा को अधिनियम के प्रावधानों के अध्याधीन तीन वर्षों की अवधि के लिए केन्द्रीय रेशम बोर्ड के सदस्य के रूप में दिनांक 13 मई, 2002 को विधिवत निर्वाचित किया है।

[फा. सं. 25012/04/91-रेशम]

किरन धींगरा, संयुक्त सचिव

## MINISTRY OF TEXTILES

New Delhi, the 4th June, 2002

S.O. 2056.—The Central Government hereby notify that the Rajya Sabha has in pursuance of clause (c) of sub-section (3) of Section 4 of the Central Silk Board Act, 1948 (61 of 1948), duly elected Shri M. V. Rajashekarana, Member, Rajya Sabha, on 13th May, 2002 to serve as a member of the Central Silk Board for a period of three years subject to the provisions of the Act in place of Shri K. C. Kondiah on expiry of his term as a member of Rajya Sabha.

[F. No. 25012/04/91-Silk]

KIRAN DHINGRA, Jt. Secy.

## सूचना और प्रसारण मंत्रालय

नई दिल्ली, 16 अप्रैल, 2002

का.आ. 2057.—इस मंत्रालय की दिनांक 6-11-2001 की समसंख्यक अधिसूचना के अन्तर्गत में और चलचित्रकी (प्रमाणन) नियम, 1983 के नियम-3 के साथ पठित चलचित्रकी अधिनियम, 1952 (1952 का 37) की धारा-3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार सुश्री मंजुला नायडू, फ्लैट सं. 202, मिर्ननी कपार्टमेंट, श्याम करण रोड, आमीरपेट, हैदराबाद-500 006 और श्री निथी राजेश्वर राव 1-9-18/1/3, रामनगर "एक्स" रोड, रामनगर, हैदराबाद-500048, श्रीमती टी. विजय लक्ष्मी और श्री त्रिपुरा नैनी, महाराधी जिन्होंने त्यागपत्र दे दिया है के स्थान पर केन्द्रीय फिल्म प्रमाणन बोर्ड के सदस्य के रूप में तत्काल प्रभाव से और अगले आदेशों तक नियुक्त करती है।

[फा. संख्या 809/3/2001-एफ (सी)]

ए.सी. दुग्गल, संयुक्त सचिव

## MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 16th April, 2002

S.O. 2057.—In continuation of this Ministry Notification of even number dated 6th November, 2001 and in exercise of the powers conferred by sub-section (1) of section 3 of the Cinematograph Act, 1952 (37 of 1952) read with rule 3 of the Cinematograph (Certification) Rules, 1983, the Central Government is pleased to appoint Ms. Manjula Naidu, Flat No. 202, Myneni Apartment, Shyam Karan Road, Amierpet, Hyderabad-500 006 and Shri Neethi Rajeshwar Rao, 1845 GI/2002—3

1-918/1/3, Ramnagar 'X' Road, Ramnagar, Hyderabad-500 048, as members of Central Board of Film Certification, with immediate effect and until further orders, vice Mrs. T. Vijaya Lakshmi and Shri Tripuraneni Maharaadhi, who have since resigned.

[F. No. 809/3/2001-F(C)]

A. C. DUGGAL, Jt. Secy.

## सामाजिक न्याय और अधिकारिता मंत्रालय

नई दिल्ली, 30 अप्रैल, 2002

का.आ. 2058.—मंत्रिमंडल के 2 जुलाई, 1998 के निर्णय में केन्द्रीय दत्तक ग्रहण संसाधन एजेंसी को स्वायत्तता दी गई थी। इसी के अनुसरण में इस संसाधन पंजीकरण अधिनियम, 1960 के तहत दिनांक 18-3-1999 को पंजीकृत कर दिया गया और यह पूर्वोक्त तिथि से सामाजिक न्याय और अधिकारिता मंत्रालय के अन्तर्गत स्वायत्त निकाय के रूप में कार्य कर रही है।

[सं. 1-2-91 सीएआरए]

एस. के. देव वर्मन, उप सचिव (एमडी)

## MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT

New Delhi, the 30th April, 2002

S.O. 2058.—In pursuance to the Cabinet's decision of 2nd July 1998, conferring autonomous status to the Central Adoption Resource Agency, it has been registered under the Societies Registration Act, 1860, on 18-3-1999 and is functioning as an autonomous body of the Ministry of Social Justice & Empowerment w.e.f. the aforesaid date.

[No. 1-2/91-CARA]

S. K. DEV VERMAN, Dy. Secy. (SD)

## कोयला और खान मंत्रालय

(खान विभाग)

नई दिल्ली, 7 जून, 2002

का.आ. 2059.—सार्वजनिक परिसर (अनाधिकृत उपभोक्ता वेवखली) अधिनियम, 1971 (1971 का 40) के खंड 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत के तत्कालीन इस्पात और खान मंत्रालय (खान विभाग) की दिनांक 14 दिसम्बर, 1982 की अधिसूचना सं. का.आ. 288 का अतिरिक्त करते हुए केन्द्रीय सरकार एतद्वारा सरकार के राजपत्रित अधिकारी के समक्ष मोहदे का अधिकारी होने के नाते निम्नलिखित तालिका के कालम (1) में उल्लिखित अधिकारी, को उक्त अधिनियम के प्रयोजन के लिए, सम्पदा अधिकारी नियुक्त

करती है और यह भी निदेश देती है कि उक्त अधिकारी प्रवृत्त शक्तियों का प्रयोग करेगा तथा उक्त तालिका के कालम (2) में किए गए उल्लेख के अनुरूप सार्वजनिक परिसर के संबंध में अपने कार्य क्षेत्र की स्थानीय सीमाओं के अन्तर्गत उक्त अधिनियम अथवा उसके द्वारा सम्पदा अधिकारी को सौंपे गये कार्यों का निर्वाह करेगा :

#### तालिका

अधिकारी का पदनाम

1

उप-प्रबंधक/प्रबंधक/अतिरिक्त प्रबंधक/मुख्य प्रबंधक (कार्मिक तथा प्रशासन) नेशनल एल्यूमिनियम कंपनी लि. खान तथा रिफाइनरी कम्प्लेक्स दामनजोड़ी ओड़िशा, पि-कोड-763008

सार्वजनिक परिसर की श्रेणी तथा कार्यक्षेत्र की स्थानीय सीमाएं

(2)

जिला कोरापुट (ओड़िशा) में नेशनल एल्यूमिनियम कंपनी लि. के स्वमित्व में /पट्टे पर लिया गया परिसर

एल्यूमिना संयंत्र

दामनजोड़ी, अम्बागांव, बाराणपुट तथा मालिङ्गमुरिगुड़ा गांवों में अधिग्रहित भूमि।

उत्तर — अम्बागांव

दक्षिण — नालको बस्ती  
(सेक्टर-1)

पूर्व — माथलपुट गांव

पश्चिम — रेड मड तालाब

बस्ती

खलवाड़ी, कांटागुड़ा, सिन्धीपार, दामनजोड़ी, गदलवाधिली तथा सरगीगुड़ा गांवों में अधिग्रहित भूमि।

उत्तर — एल्यूमिना संयंत्र

दक्षिण — खरनीगुल गांव

पूर्व — भेषपुट गांव

पश्चिम — रेल लाइन (कोरापुट-रायगढ़ तथा कोन्टाबौमुनी मंदिर)।

रेड मड तालाब

रेड मड तालाब के तीन बांधों के निर्माण के लिए डुमुरीगुड़ा, ओड़ीगुड़ा, देनगाजानिगुड़ा, चम्पापादार, चोगांव, खोरागुड़ा तथा सुगुरीगुड़ा गांव में अधिग्रहित भूमि।

उत्तर — गांव देनगाजानिगुड़ा

दक्षिण — कोरापुट-रायगढ़ रेल लाइन तथा राख तालाब

पूर्व — एल्यूमिना संयंत्र का एंगल स्टेशन तथा बाँकसा-इट भंडार क्षेत्र

पश्चिम — गांव चम्पापादार तथा खोरागुड़ा

(2)

राख तालाब

सिन्धीपार तथा कन्टागुड़ा गांव में अधिग्रहित भूमि।

उत्तर — रेड मड तालाब का बांध-3

दक्षिण — कोरापुट-रायगढ़ रेल लाइन

पूर्व — पहाड़ियां

पश्चिम — खोरागुड़ा गांव एवं चम्पापादार गांव

कन्वेयर बेल्ट के साथ मार्ग

अम्बागांव, करडीगुड़ा तथा अग्निपुत्रघाटी गांवों में अधिग्रहित भूमि।

उत्तर — अम्बागांव तथा करडीगुड़ा के गांव

दक्षिण — पुत्र घाटी

पूर्व — पंचपटमाली बाँकसाइट खान

पश्चिम — रेड मड तालाब

जलशोधन संयंत्र

उत्तर — एल्यूमिना संयंत्र

दक्षिण — नालको बस्ती (सेक्टर -1)

पूर्व — नालको प्रोटेस्ट कार्यालय

पश्चिम — ओवर हैड वाटर टैंक

स्थायी जल ग्रहण पम्प हाउस

छागांव में अधिग्रहित भूमि।

उत्तर — कोरापुट रायगढ़ रेलवे लाइन

दक्षिण — कोनाव झील

पूर्व — गांव खंवागुड़ा

पश्चिम — गांव घटागुड़ा तथा राष्ट्रीय राजमार्ग-43

केरांडी नाले से बस्ती/संयंत्र तक जल आपूर्ति पाइप लाइन तथा पम्प हाउस एल्यूमिना संयंत्र तक 11 के.बी. ओवर हैड लाइन।

छागांव, खलवाड़ी, कन्टागुड़ा तथा सिन्धीपार गांव में अधिग्रहित भूमि।

उत्तर — कोरापुट रायगढ़ रेल लाइन

दक्षिण — कोरांडी नाला

पूर्व — बस्ती

पश्चिम — गांव घाटीगुड़ा तथा राष्ट्रीय राजमार्ग-43

झोलागुड़ा में पम्प हाउस तथा झोलागुड़ा से खान तक जल आपूर्ति पाइप लाइन।

उत्तर — गांव काप्पीगुट

दक्षिण — पंचपटमाली बाँकसाइट खान

पूर्व — पंचपटमाली बाँकसाइट खान

पश्चिम — गांव भीतारगढ़

जयनगर (जयधोर) से खान तथा रिफाइनरी कम्प्लेक्स, दामनजोड़ी तक सुनावेवा प्रिक्लस स्टेशन से नालको दामनजोड़ी तक 132 के. बी. हार्ड टेंशन लाइन तथा सुनावेवा प्रिक्लस स्टेशन से नालको दामनजोड़ी तक।

उत्तर — स्टीम तथा बिजनी संयंत्र (एल्यूमिना संयंत्र)

दक्षिण — एस. बी. एम तथा नर्सरी के समीप नालको बस्ती

पूर्व — सेक्टर-I (नालको बस्ती)

पश्चिम — सेक्टर-III (टी एच 2) तथा नालको क्लब

(2)

एल्युमिना संयंत्र अहाने से खान तक 33 के.वी. ओवर हैड लाइन  
 उत्तर — उत्तर की तरफ खाद तक  
 दक्षिण — एल्युमिना संयंत्र का 02 क्षेत्र  
 पूर्व — आर-पार पहाड़ियां  
 पश्चिम — आर-पार पहाड़ियां  
 गृहीत रेल प्रणाली  
 उत्तर — रेड मड तालाब  
 दक्षिण — बस्ती (सेक्टर-I)  
 पूर्व — एल्युमिना संयंत्र  
 पश्चिम — कोरापुट रायगड़ा रेल लाइन  
 वाटर टैंक तक पहुंच मार्ग  
 छाओगाव, खलपाड़ी, कन्टागुडा तथा सिंधीपार गांवों में अधिग्रहित भूमि।  
 उत्तर — कोरापुट रायगड़ा रेल लाइन  
 दक्षिण — जल आपूर्ति पाइप लाइन  
 पूर्व — तालको बस्ती  
 पश्चिम — जल ग्रहण पम्प हाउस  
 रेड मड तालाब तक पहुंच मार्ग  
 उत्तर — रेड मड तालाब  
 दक्षिण — बस्ती (सेक्टर-III)  
 पूर्व — कोरापुट-रायगड़ा रेल लाइन  
 पश्चिम — राख तालाब  
 खान तक पहुंच मार्ग  
 अम्बागाँव, अरिपुत्रघाटी तथा करीडीगुडा गांवों में अधिग्रहित भूमि  
 उत्तर — गांव झालीगुडा, करीडीगुडा तथा माथलपुट से काकरीगुमा तक सड़क  
 दक्षिण — अरिपुत्रघाटी तथा अनलावाड़ी पुनर्वास कालोनी  
 पूर्व — पंचपटमाली बाक्ससाइट खान  
 पश्चिम — माथलपुट हाई स्कूल  
 खान पट्टा क्षेत्र  
 पंचपटमाली पर्वत के केन्द्रीय खंड में बाक्ससाइट खनन के लिए खनिज रियायत नियमावली के अधीन 732 हेक्टेयर भूमि के लिए अधिग्रहित सतही अधिकार।  
 उत्तर — आरक्षित वन  
 दक्षिण — आरक्षित वन  
 पूर्व — आरक्षित वन  
 पश्चिम — आरक्षित वन

[फा. संख्या 11(54)/2001/धतु-1]

अरुणा बागची, संयुक्त सचिव

MINISTRY OF COAL AND MINES

(Department of Mines)

New Delhi, the 7th June, 2002

S.O. 2059.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) and in supersession of the Notification of the Government

of India in the then Ministry of Steel and Mines, (Department of Mines) No. S.O. 288 dated 14th December, 1982, the Central Government hereby appoints the officer mentioned in Column (1) of the Table below, being officers equivalent to the rank of Gazetted Officer of Government, to be Estate Officer for the purposes of the said Act, and further directs that the said Officer shall exercise the powers conferred and perform the duties imposed, on the Estate Officer by or under the said Act, within the local limits of his jurisdiction in respect of the public premises specified in the corresponding entry in column (2) of the said Table :

## TABLE

(1)

## DESIGNATION OF THE OFFICER :

Deputy Manager/  
 Manager/Senior Manager  
 Chief Manager (P&A)  
 National Aluminium Company Ltd.,  
 Mines and Refinery Complex,  
 Damanjodi, Orissa,  
 Pin Code-763008.

(2)

## CATEGORIES OF PUBLIC PREMISES AND LOCAL LIMITS OF JURISDICTION :

Premises owned by or leased to  
 National Aluminium Company  
 Limited in the District of  
 Koraput, Orissa.

## ALUMINA PLANT :

Lands acquired in villages :  
 Damanjodi, Ambagaon, Barangput  
 and Malidumuriguda.  
 North—Ambagaon Village  
 South—NALCO Township (Sec.-I)  
 East—Mathalpur Village  
 West—Red Mud Pond.

## TOWNSHIP :

Lands acquired in villages :  
 Khalpadi, Kantaguda, Sindhipar,  
 Damanjodi, Gadlpadhili and  
 Sargiguda.  
 North—Alumina Plant  
 South—Village Charanguli  
 East—Village Bhejaput  
 West—Rail line (Koraput-Rayagada and Kontabausuni Temple).

## RED MUD POND :

Lands acquired in villages :  
 Dumuriguda, Jhodiguda,  
 Dengajaniguda, Champapadar,  
 Chogaon, Khoraguda and Suguriguda  
 For construction of 3 Dams of  
 R.M.P.  
 North—Village Dengajaniguda  
 South—Koraput-Rayagada Railway Line and Ash Pond  
 East—Angle Station and Bauxite Storage area of Alumina Plant  
 West—Village Champapadar and Khoraguda.

**ASH POND :**

Lands acquired in village Sindhipar  
and Kantaguda  
North—Dam-3 of Red Mud Pond  
South—Koraput-Rayagada Railway Line.  
East—Hills  
West—Village Champapadar and Khoraguda.

**CORRIDOR ALONG CONVEYOR BELT :**

Acquired Land in villages :  
Ambagaon, Karidiguda and  
Aripuraghati.  
North—Villages, Ambagaon and Karidiguda  
South—Putraghati  
East—Panchpatmali Bauxite Mines  
West—Red Mud Pond.

**WATER TREATMENT PLANT :**

North—Alumina Plant  
South—NALCO Township (Sector-I)  
East—NALCO Project Office  
West—Overhead Water Tank.

**PERMANENT WATER INTAKE PUMP HOUSE :**

Lands acquired in village Chhagaon.  
North—Koraput-Rayagada Rly Line  
South—Kolab Reservoir  
East—Village Bandhaguda  
West—Village Ghatiguda and NH-43.

**WATER SUPPLY PIPELINE FROM  
KERANDI NALLA TO TOWNSHIP  
PLANT AND 11 KV OVERHEAD LINE  
FROM PUMP HOUSE TO ALUMINA PLANT :**

Acquired land in villages Chhagaon,  
Khalpadi, Kantaguda and Sindhipar.  
North—Koraput-Rayagada Ply. Line  
South—Kerandi Nalla  
East—Township  
West—Village Ghatiguda and NH-43.

**PUMP HOUSE AT JHOLAGUDA AND  
W/S PIPELINES FROM JHOLAGUDA  
TO MINES :**

North—Village Kapsiput  
South—Panchpatmali Bauxite Mines  
East—Panchpatmali Bauxite Mines  
West—Village Bhitargarh.

**132 KV HIGH TENSION LINE  
LEADING FROM**

JAYNAGAR (JEYPORE) TO M & R  
COMPLEX, DAMANJODI FROM  
SUNABEDA GRID SUB-STATION TO  
NALCO, DAMANJODI :

North—Steam and Power Plant (Alumina Plant)  
South—NALCO Township near S.V.M. and Nursery  
East—Sector-I (NALCO Township)  
West—Sector-III (Near-TH-2 and NALCO Club).  
33 KV OVERHEAD LINE FROM ALUMINA  
PLANT BOUNDARY TO MINES :

North—Towards North upto Mines  
South—02 Area of Alumina Plant  
East—Hills Cross Country  
West—Hills Cross Country.

**CAPTIVE RAIL SYSTEM :**

North—Red Mud Pond  
South—Township (Sec.-III)  
East—Alumina Plant  
West—Koraput-Rayagada Rly. Line.

**APPROACH ROAD TO WATER INTAKE :**

Acquired land in villages:  
Chougaon, Khalpadi, Kantaguda and Sindhipar.  
North—Koraput-Rayagada Ply. Line  
South—Water Supply Pipe Line  
East—NALCO Township  
West—Water Intake Pump House.

**APPROACH ROAD TO R.M.P. :**

North—Red Mud Pond  
South—Township (Sec.-III)  
East—Koraput-Rayagada Ply. Line  
West—Ash Pond.

**APPROACH ROAD TO MINES :**

Acquired land in villages :  
Ambagaon, Aripuraghati and Karidiguda  
North—Village Jhadiguda, Karidiguda and Road from  
Mathalput to Kakriguda  
South—Aripuraghati and Anlabadi Rehabilitation  
Colony  
East—Panchpatmali Bauxite Mine  
West—Mathalput High School.

**MINES LEASE AREA :**

Acquired surface Rights for 732 Hectors under  
Mineral Concession Rules for Mining of Bauxite in  
the Central Block of Panchpatmali Hills.  
North—Reserve Forest  
South—Reserve Forest  
East—Reserve Forest  
West—Reserve Forest.



**कोयला और खान मंत्रालय**  
**कोयला विभाग**

नई दिल्ली, 10 जून, 2002

का. आ. 2060.— केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) के अधीन भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii), तारीख 31 मार्च, 2001 में प्रकाशित भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्यांक का0आ0 सं0 681 तारीख 20 मार्च, 2001 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 5275.50 एकड़ (लगभग) या 2135.83 हेक्टेयर (लगभग) है, कोयले का पूर्वक्षण करने के अपने आशय की सूचना दी थी ;

और केन्द्रीय सरकार का यह समाधान हो गया है कि उक्त भूमि में कोयला अभिप्राप्य है ;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इससे संलग्न अनुसूची में वर्णित 1254.80 एकड़ (लगभग) या 508.02 हेक्टेयर (लगभग) माप की भूमि में या ऐसी भूमि में या उन पर के अधिकारों का अर्जन करने के अपने आशय की सूचना देती है ।

**टिप्पण 1 :** इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं0 राजस्व/4/2001 तारीख 6 सितम्बर, 2001 का निरीक्षण उपायुक्त, चतरा, झारखंड के कार्यालय में या उपायुक्त लातेहर, झारखंड या सेन्ट्रल कोल फील्ड लि0 (राजस्व अनुभाग) के कार्यालय में किया जा सकता है ।

**टिप्पण 2 :** कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है जिसमें निम्नलिखित उपबंध है ।

### 8. अर्जन की बाबत आपत्तियां -

(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गई है हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा ।

**स्पष्टीकरण :-** इस धारा के अर्थान्तर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन संक्रियाएँ करना चाहता है और ऐसी संक्रियाएँ केंद्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए ।

(2) उपधारा (1) के अधीन प्रत्येक आपत्ति सक्षम प्राधिकारी को लिखित रूप में की जाएगी और सक्षम प्राधिकारी आपत्तिकर्ता को स्वयं सुने जाने का या विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात और ऐसी अतिरिक्त जांच यदि कोई हो, करने के पश्चात जो वह आवश्यक समझता है, वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा ।

(3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होता, यदि भूमि या ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते ।

**टिप्पण 3 :** केन्द्रीय सरकार ने भारत के राजपत्र तारीख 11 जून, 1983 में के पृष्ठ 2442 से 2446 पर प्रकाशित अधिसूचना सं० का०आ० 2518 तारीख 27 मार्च, 1983 के द्वारा कोयला नियंत्रक 1. काउंसिल हाउस स्ट्रीट, कोलकाता - 700001 को उक्त अधिनियम की धारा 3 के अधीन सक्षम प्राधिकारी नियुक्त किया है ।

**अनुसूची**  
**मगध ब्लॉक विस्तार**  
**उत्तरी करणपुरा कोलफील्ड्स**  
**जिला- चतरा और लतेहर**

**ब्लॉक - क**

(अर्जित की जाने वाली भूमि को दर्शाते हुए)

(सभी अधिकार)

क्र०स०	ग्राम	थाना	थाना सं०	जिला	क्षेत्र एकड़ में	क्षेत्र हेक्टेयर में	टिप्पणियां
1	2	3	4	5	6	7	8
1.	सरधु	टंडवा	29/186	चतरा	253.80	102.75	भाग
2.	मसिलांग	टंडवा	61/218	चतरा	165.00	66.80	भाग
3.	आरा	बालूमठ	55	लतेहर	61.25	24.80	भाग
4.	चमातु	बालूमठ	56	लतेहर	542.25	219.53	भाग
5.	फुलबसिया	बालूमठ	58	लतेहर	160.00	64.78	भाग

कुल क्षेत्र 1182.30 एकड़ (लगभग)

या

478.66 हेक्टेयर (लगभग)

**सरधू ग्राम में अर्जित किए जाने वाले भूखंड संख्यांक :-**

541 (पी), 545 (पी), 546, 547, 548 (पी), 549, 550, 551 (पी), 553 (पी), 555 (पी), 556 (पी), 699 (पी), 706 (पी), 708 (पी), 718 (पी), 719 (पी), 720, 721, 752, 753, 754, 755 (पी), 756 से 761, 762 (पी), 765 (पी), 766 (पी), 773 (पी), 774, 775 (पी), 779 (पी), 780, 781 (पी), 782 (पी), 783 से 790, 791 (पी), 792 से 795, 796 (पी), 800 से 809, 810 (पी), 811 से 822, 823 (पी), 824 (पी), 873 (पी), 874 (पी), 1707 (पी), 1708 (पी), 1730 (पी), 1731 (पी), 1744 (पी), 1745 (पी) और 1833 (पी)

**मसिलांग ग्राम में अर्जित किए जाने वाले भूखंड संख्यांक :-**

53 से 68, 69 (पी), 81 से 114, 304 (पी), 312 (पी), 313 से 317, 318 (पी), 319 (पी) और 320 (पी)

**आरा ग्राम में अर्जित किए जाने वाले भूखंड संख्यांक :-**

342, 343 (पी), 344 से 362, 363 (पी), 364 (पी), 365 (पी), 375 (पी), 376 (पी), 380 (पी), 381, 382, 383 (पी), 384, 385 (पी), 386, 387, 388, 389 (पी), 397 (पी), 398 (पी), 399 (पी), 400 से 407, 408 (पी), 423 (पी), 425 (पी), 427 (पी), 428, 429, 431, 432, 433, 434 (पी), 436 (पी), 439 (पी), 440 (पी), 691 (पी), 693 से 696, 697 (पी), 698 से 703, 704 (पी), 706 (पी), 715 (पी), 716, 717, 718 (पी), 744 (पी), 753 (पी), 756 (पी), 758 से 761, 765 (पी), 766, 767 (पी), 768, 769, 770 (पी), 771, 791 (पी), 2006 और 2029

**घमातु ग्राम में अर्जित किए जाने वाले भूखंड संख्यांक :-**

442 (पी), 469 से 477, 494 (पी), 503 से 766, 767 (पी), 769 (पी), 770, 771 (पी), 773 (पी), 774, 775 (पी), 776 (पी), 777 (पी), 778 (पी), 779 (पी), 785 (पी), 786 (पी), 787 (पी), 791 (पी), 792, 793, 794 (पी), 796, 797, 798 (पी), 806 (पी), 807 (पी), 808, 809 (पी), 811 (पी), 958 (पी), 970 (पी), 971, 972 (पी), 973, 974 (पी), 1082 (पी), 1096 (पी), 1097, 1098, 1099, 1100 (पी), 1101 से 1107, 1115 (पी), 1116, 1117 (पी), 1153, 1155 से 1295, 1296 (पी), 1297, 1302 (पी), 1303 (पी), 1304 से 1364, 1365 (पी), 1366, 1587 (पी), 1588 (पी), 1612 (पी), 2102 (पी), 2103 (पी), 2104 (पी), 2106 (पी), 2107 (पी), 2108, 2109, 2110 (पी), 2111 (पी), 2112 (पी), 2113 (पी), 2114 से 2133, 2134 (पी), 2135 (पी), 2136 से 2160, 2161 (पी), 2162 (पी), 2163 से 2230 (पी), 2231 (पी), 2233 (पी), 2236 (पी), 2237, 2238, 2239 (पी), 2244 (पी), 2245 (पी), 2246 (पी), 2247 (पी), 2475 (पी), 2476 (पी), 2477 (पी), 2518 (पी), 2519 (पी), 2520 (पी), 2522 (पी), 2526 (पी), 2527 (पी), 2528 (पी), 2529 (पी), 2550, 2551, 2552, 2553, 2557, 2558, 2559, 2560, 2562, 2567, 2574, 2589, 2619, 2620, 2621, 2628, 2629, 2630, 2631, 2632, 2633, 2645, 2693, 2694, 2699 और 2700,

**फुलबसिया ग्राम में अर्जित किए जाने वाले भूखंड संख्यांक :-**

1303(पी), 1391(पी), 1392 से 1402, 1403(पी), 1405(पी), 1406(पी), 1407 से 1414, 1438 से 1449, 1450(पी), 1451(पी), 1512, 1533(पी), 1535, 1536, 1537(पी), 1538 से 1542, 1546(पी), 1547, 1550(पी), 1551, 1552, 1553(पी), 1556(पी), 1557, 1616 (पी), 1617(पी), 1619(पी), 1623, 1624, 1625, 1626(पी), 1627, 1628(पी), 1635(पी), 1636(पी), 1637(पी), 1638, 1639(पी), 1640(पी), 1780(पी), 1820, 1822(पी), 1823 और 1831,

**सीमा वर्णन :-**

- क-ख रेखा बिन्दु "क" से आरंभ होकर ग्राम आरा में भूखंड संख्यांक 439, 440, 343 और 697 से गुजरती है और बिन्दु "ख" पर मिलती है ।
- ख-ग रेखा ग्राम घमातु में भूखंड संख्यांक 1587, 2581, 442, 494 और 607 से होकर गुजरती है और बिन्दु "ग" पर मिलती है ।
- ग-घ-ङ रेखा ग्राम फुलबसिया में भूखंड संख्यांक 1391, 1395, 1450, 1451, 1509, 1619, 1550, 1512 और 1303 से होकर गुजरती है और बिन्दु "ङ" पर मिलती है ।
- ङ-च रेखा ग्राम फुलबसिया और चतरा में नाला के भाग केन्द्रीय रेखा के साथ-साथ गुजरती है और बिन्दु "च" पर मिलती है ।
- च-छ रेखा ग्राम फुलबसिया में भूखंड संख्यांक 1823, 1820, 1537, 1546, 1553, 1556, 1557, 1550, 1619, 1617, 1616, 1623, 1628, 1627, 1626, 1637, 1635, 1636, 1640, 1639, 1640, 1406, 1405, 1403, 1780 और 1391 (जो का0 आ0 3155 तारीख 20.10.62 द्वारा कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9 (1) के अधीन अर्जित पिन्डारकम गणेशपुर ब्लाक की सम्मिलित सीमा का भाग रूप है ) से होकर गुजरती है और बिन्दु "छ" पर मिलती है ।
- छ-ज रेखा ग्राम फुलबसिया, घमातु और गणेशपुर (जो का0 आ0 3155 तारीख 20.10.62 द्वारा कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम 1957 की धारा 9 (1) के अधीन पिन्डारकम गणेशपुर ब्लाक की सम्मिलित सीमा का भाग रूप है ) में नाला के भाग केन्द्रीय रेखा के साथ-साथ गुजरती है और बिन्दु "ज" पर मिलती है ।
- ज-झ रेखा ग्राम घमातु में 2333, 2231, 2236, 2239, 2244, 2529, 2526, 2527, 2522, 2520, 2476, 2520, 2518 और 2538 भूखंड संख्याओं से होकर गुजरती है और बिन्दु "झ" पर मिलती हैं ।

झ-अ रेखा ग्राम सरधु में भूखंड संख्यांक 1744, 1745, 1731, 706, 796 और 1708 से होकर गुजरती है और बिन्दु "अ" पर मिलती हैं ।

अ-ट-ठ रेखाएं ग्राम मसिलांग में भूखंड संख्यांक 319, 318, 304 और 96 से होकर गुजरती है और बिन्दु "ठ" पर मिलती हैं ।

ठ-ड-ढ रेखाएं मसिलांग ग्राम में भूखंड संख्यांक 69, 312 और 308 से होकर गुजरती है और बिन्दु "ढ" पर मिलती हैं ।

ढ-ण-त रेखा ग्राम सरधु में भूखंड संख्यांक 1833, 1707, 874, 873, 810, 823, 824, 791, 782, 781, 779, 775, 773, 762, 765, 755, 766, 544, 541, 556, 555, 545, 553, 548, 553, 551, 719, 718, 719, 708, 706, 1730, 1731, 1745 और 1744 से होकर गुजरती हैं और बिन्दु "त" पर मिलती हैं ।

त-थ-द रेखाएं ग्राम चमातु में भूखंड संख्यांक 2538, 2518, 2519, 2477, 2476, 2475, 2520, 2522, 2617, 2616, 2527, 2528, 2245, 2246, 2247, 2112, 2113, 2111, 2110, 2107, 2106, 2104, 2102, 2134, 2135, 2161, 2162, 767, 769, 771, 773, 775, 776, 777, 779, 785, 786, 787, 791, 794, 798, 806, 807, 811, 809, 998, 970, 972, 974, 1082, 1096, 1100, 1115 और 1117 ( जो का0 आ0 सं0 870 (अ) तारीख 2-12-1994 के द्वारा कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9 (1) के अधीन अर्जित मगध ब्लाक की सम्मिलित सीमा का भाग रूप है, से होकर गुजरती है और बिन्दु "द" पर मिलती हैं ।

द-ध-न-प रेखाएं ग्राम चमातु में भूखंड संख्यांक 1296, 1302, 1303, 1365 (नाला) 2585, 2636, 2637, 1612, 1587, 1612 और 1588 ( जो सा0 का0 नि0 सं0 870 (अ) तारीख 2-12-94 द्वारा कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9 (1) के अधीन अर्जित मगध ब्लाक की सम्मिलित सीमा का भाग रूप है) से होकर गुजरती हैं और बिन्दु "प" पर मिलती हैं ।

प-फ-क रेखाएं ग्राम आरा में भूखंड संख्यांक 704, 706, 715, 718, 2006, 744, (नाला) 791, 770, 767, 765, 756, 753, 790, 794, 363, 364, 365, 380, 376, 375, 383, 385, 389, 399, 398, 397, 408, 423, 427, 425, 435, 436, 434 और 439 (जो सा0 का0 नि0 सं0 870 (अ) तारीख 2-12-94 द्वारा कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9 (1) के अधीन अर्जित मगध ब्लाक की सम्मिलित सीमा का भाग रूप है) से होकर गुजरती है और बिन्दु "क" पर मिलती हैं ।

**ब्लाक "ख"**

क्रम सं० ग्राम थाना थाना सं० जिला क्षेत्र एकड़ में क्षेत्र हेक्टर में टिप्पणियां

1	2	3	4	5	6	7	8
1.	कुन्डी	टंडवा	27/184	चतरा	46.30	18.75	भाग
2.	सरधु	टंडवा	29/186	चतरा	26.20	10.61	भाग

कुल क्षेत्र 72.50 एकड़ (लगभग)

या

29.36 हेक्टर (लगभग)

ग्राम कुन्डी में अर्जित किए जाने वाले भूखंड संख्यांक

1 (पी), 9 (पी), 10 से 72, 73(पी), 76(पी), 79(पी), 80(पी), 81 से 87, 88(पी), 89(पी), 90 से 108, 109(पी), 110(पी), 111 से 121, 122(पी), 124(पी), 125, 126, 127(पी), 136(पी), 137(पी), 138 से 141, 142(पी), 144(पी), 154(पी), 157, 158, 159(पी), 160(पी), 161(पी), 163(पी), 164 से 169, 170 (पी), 171(पी), 183(पी), 242(पी) और 400

ग्राम सरधु में अर्जित किए जाने वाले भूखंड संख्यांक

448(पी), 449, 450, 451 (पी) 452, 453(पी), 454, 455(पी), 474, 475, 476 और 477 (पी)

**सीमा वर्णन**

ब-भ रेखा "ब" से आरंभ होकर ग्राम सरधु में भूखंड सं० 477, 1954 और 448 से होकर गुजरती हैं।

भ-म-य रेखाएँ ग्राम कुन्डी में भूखंड संख्यांक 9, 1, 242, 171, 170, 163, 161, 160, 183, 154, 159, 109, 144, 142, 136, 137, 127, 124 और 122 से होकर गुजरती हैं और बिन्दु "य" पर मिलती हैं।

य-ब रेखाएँ ग्राम कुन्डी में भूखंड संख्यांक 89, 88, 80, 79, 76, 75, 73, तथा ग्राम सरधु में भूखंड संख्यांक 453, 455, 451 और 477 से होकर गुजरती हैं तथा आरंभिक बिन्दु "ब" पर मिलती हैं।

[फा. सं. 43015/24/2000-पी.आर. आई डब्ल्यू]

संजय बहादुर, उप सचिव

Ministry of Coal & Miens  
Department of Coal

New Delhi, the 10th June, 2002

S. O. 2060.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 681 dated the 20<sup>th</sup> March, 2001 published in the Gazette of India Part-II, Section 3, Sub-section(ii), dated the 31<sup>st</sup> March, 2001 issued under sub-section(1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government gave notice of its intention to prospect for coal in 5275.50 acres (approximately) or 2135.83 hectares (approximately) of the lands in the locality specified in the Schedule appended to that notification;

And whereas the Central Government is satisfied that coal is obtainable from the said lands;

Now, therefore, in exercise of the powers conferred by sub-section(1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the lands measuring 1254.80 acres (approximately) or 508.02 hectares (approximately) described in the schedule appended hereto;

Note 1. - The plan No, Rev./4/2001 dated the 6<sup>th</sup> September, 2001 of the area covered by this notification may be inspected in the office of the Deputy Commissioner, Chatra, Jharkhand or in the office of the Deputy Commissioner, Latehar, Jharkhand or in the office of the Central Coalfields Ltd., (Revenue Section), Darbhanga House, Ranchi, Jharkhand.

Note 2. - Attention is hereby invited to the provisions of section 8 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), which provides as follows :-

“8 Objection to acquisition (1) Any person interested in any land in respect of which a notification under section 7 has been issued may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or any rights in or over such lands.

Explanation :- It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of



the land which has been notified under sub-section (1) of section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government.

- (3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act. ”

Note 3 . - The Coal Controller, 1 Council House Street, Kolkata, has been appointed by the Central Government, as the competent authority under section 3 of the said Act vide notification number S.O. 2518, dated the 27<sup>th</sup> May, 1983 published in the Gazette of India dated the 11<sup>th</sup> June, 1983 at pages 2442 to 2446.

### Schedule

Magadh Block Extension  
(North Karanpura Coalfields)  
District : Chatra & Latehar

(Showing land to be acquired)

Block -- 'A'

All Right

Serial Number	Village	Thana	Thana Number	District	Area in Acres	Area in Hectares	Remarks
1.	2.	3.	4.	5.	6.	7.	8
1.	Saradhu	Tandwa	29/186	Chatra	253.80	102.75	Part
2.	Masilaung	Tandwa	61/218	Chatra	165.00	66.80	Part
3.	Ara	Balumath	55	Latehar	61.25	24.80	Part
4.	Chamatu	Balumath	56	Latehar	542.25	219.53	Part
5.	Phulbasia	Balumath	58	Latehar	160.00	64.78	Part
TOTAL AREA :					1182.30	Acres	(approx.)
Or					478.66	Hectares	(approx.)

Plot numbers to be acquired in village Saradhu :-

541(P), 545(P), 546, 547, 548(P), 549, 550, 551(P), 553(P), 555(P), 556(P), 699(P), 706(P), 708(P), 718(P), 719(P), 720, 721, 752, 753, 754, 755(P), 756 to 761, 762(P), 765(P), 766(P), 773(P), 774, 775(P), 779(P), 780, 781(P), 782(P), 783 to 790, 791(P), 792 to 795, 796(P), 800 to 809, 810(P), 811 to 822, 823(P), 824(P), 873(P), 874(P), 1707(P), 1708(P), 1730(P), 1731(P), 1744(P), 1745(P) and 1833(P).

Plot numbers to be acquired in village Masilaung :-

53 to 68, 69(P), 81 to 114, 304(P), 312(P), 313 to 317, 318(P), 319(P) and 320(P).

**Plot numbers to be acquired in village Ara :-**

342, 343(P), 344 to 362, 363(P), 364(P), 365(P), 375(P), 376(P), 380(P), 381, 382, 383(P), 384, 385(P), 386, 387, 388, 389(P), 397(P), 398(P), 399(P), 400 to 407, 408(P), 423(P), 425(P), 427(P), 428, 429, 431, 432, 433, 434(P), 436(P), 439(P), 440(P), 691(P), 693 to 696, 697(P), 698 to 703, 704(P), 706(P), 715(P), 716, 717, 718(P), 744(P), 753(P), 756(P), 758 to 761, 765(P) 766, 767(P), 768, 769, 770(P), 771, 791(P), 2006 and 2029.

**Plot numbers to be acquired in village Chamatu :-**

442(P), 469 to 477, 494(P), 503 to 766, 767(P), 769(P), 770, 771(P), 773(P), 774, 775(P), 776(P), 777(P), 778, 779(P), 785(P), 786(P), 787(P), 791(P), 792, 793, 794(P), 796, 797, 798(P), 806(P), 807(P), 808, 809(P), 811(P), 958(P), 970(P), 971, 972(P), 973, 974(P), 1082(P), 1096(P), 1097, 1098, 1099, 1100(P), 1101 to 1107, 1115(P), 1116, 1117(P), 1153, 1155 to 1295, 1296(P), 1297, 1302(P), 1303(P), 1304 to 1364, 1365(P), 1366, 1587(P), 1588(P), 1612(P), 2102(P), 2103, 2104(P), 2106(P), 2107(P), 2108, 2109, 2110(P), 2111(P), 2112(P), 2113(P), 2114 to 2133, 2134(P), 2135(P), 2136 to 2160, 2161(P), 2162(P), 2163 to 2230, 2231(P), 2233(P), 2236(P), 2237, 2238, 2239(P), 2244(P), 2245(P), 2246(P), 2247(P), 2475(P), 2476(P), 2477(P), 2518(P), 2519(P), 2520(P), 2522(P), 2526(P), 2527(P), 2528(P), 2529(P), 2550, 2551, 2552, 2553, 2557, 2558, 2559, 2560, 2562, 2567, 2574, 2589, 2619, 2620, 2621, 2628, 2629, 2630, 2631, 2632, 2633, 2645, 2693, 2694, 2699 and 2700.

**Plot numbers to be acquired in village Phulbasia :-**

1303(P), 1391(P), 1392 to 1402, 1403(P), 1405(P), 1406(P), 1407 to 1414, 1438 to 1449, 1450(P), 1451(P), 1512, 1533(P), 1535, 1536, 1537(P), 1538 to 1542, 1546(P), 1547, 1550(P), 1551, 1552, 1553(P), 1556(P), 1557(P), 1616(P), 1617(P), 1619(P), 1623, 1624, 1625, 1626(P), 1627(P), 1628(P), 1635(P), 1636(P), 1637(P), 1638, 1639(P), 1640(P), 1780(P), 1820, 1822(P), 1823 and 1831.

**Boundary Description :-**

- A-B            Line starting point 'A' passes through plot nos. 439, 440, 343 and 697 in village Ara and meets at point 'B'
- B-C        -        Line passes through plot nos. 1587, 2581, 442, 494 and 607 in village Chamatu and meets at point 'C'.
- C-D-E -        Line pass through plot nos. 1391, 1395, 1450, 1451, 1509, 1619, 1550, 1512 and 1303 in village Phulbasia and meets at point 'E'.
- E-F        -        Line passes along the part Central line of Nalla in village Phulbasia and Chetar and meets at point 'F'.
- F-G        -        Line passes through plot numbers 1823, 1820, 1537, 1546, 1553, 1556, 1557, 1550, 1619, 1617, 1616, 1623, 1628, 1627, 1626, 1637, 1635, 1636, 1640, 1639, 1640, 1406, 1405, 1403, 1780 and 1391 in village Phulbasia (which form part common boundary of Pindarcom Ganeshpur Block acquired U/S 9(1) of Coal Bearing Areas (Acquisition and Development) Act, 1957 vide So.No. 3155 dt. 20.10.62) and meets at point 'G'.

- G-H - Line passes along the part central line of Nalla in villages Phulbasia, Chamatu and Ganeshpur (which forms part common boundary of Pindarcome Ganeshpur Block acquired U/S 9(1) of Coal Bearing Areas (Acquisition & Development) Act, 1957 vide So.No. 3155 dt. 20.10.62) and meets at point 'H'.
- H-I - Line passe through plot numbers 2333, 2231, 2236, 2239, 2244, 2529, 2526, 2527, 2522, 2520, 2476, 2520, 2518 and 2538 in village Chamatu and meets at point 'I'.
- I-J - Line passes through plot numbers 1744, 1745, 1731, 706, 796 and 1708 in village Saradhu and meets at point 'J'.
- J-K-L - Lines pass through plot numbers 319, 318, 304 and 96 in village Masilaung and meets at point 'L'.
- L-M-N - Lines pass through plot numbers 69, 312 and 308 in village Masilaung and meets at point 'N'.
- N-O-P - Lines pass through plot numbers 1833, 1707, 874, 873, 810, 823, 824, 791, 782, 781, 779, 775, 773, 762, 765, 755, 766, 544, 541, 556, 555, 545, 553, 548, 553, 551, 719, 718, 719, 708, 706, 1730, 1731, 1745 and 1744 in village Saradhu and meets at point 'P'.
- P-Q-R - Lines pass through plot numbers 2538, 2518, 2519, 2477, 2476, 2475, 2520, 2522, 2617, 2616, 2527, 2528, 2245, 2246, 2247, 2112, 2113, 2111, 2110, 2107, 2106, 2104, 2102, 2134, 2135, 2161, 2162, 767, 769, 771, 773, 775, 776, 777, 779, 785, 786, 787, 791, 794, 798, 806, 807, 811, 809, 998, 970, 972, 974, 1082, 1096, 1100, 1115 and 1117 in village Chamatu (which forms part common boundary of Magadh Block acquired U/S 9(1) of Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O.NO. 870(E) dated 2.12.94) and meets at point 'R'.
- R-S-T-U- Lines pass through plot numbers 1296, 1302, 1303, 1365 (nalla) 2585, 2636, 2637, 1612, 1587, 1612 and 1588 in village Chamatu (which forms part common boundary of Magadh Block acquired U/S 9(1) of Coal Bearing Areas (Acquisition & Development ) Act, 1957 vide S.O. NO. 870(E) dt. 2.12.94) and meets at point 'U'.
- U-V-A - Lines pass through plot numbers 704, 706, 715, 718, 2006, 744(nalla), 791, 770, 767, 765, 756, 753, 790, 794, 363, 364, 365, 380, 376, 375, 383, 385, 389, 399, 398, 397, 408, 423, 427, 425, 435, 436, 434 and 439 in village Ara (which forms part common boundary of Magadh Block acquired U/S 9(1) of Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. NO. 870 (E) dated 2.12.94) and meets at starting point 'A'.

## Block – 'B'

							All Right
Serial Number	Village	Thana	Thana Number	District	Area in Acres	Area in Hectares	Remarks
1.	2.	3.	4.	5.	6.	7.	8.
1.	Kundi	Tandwa	27/184	Chatra	46.30	18.75	Part
2.	Saradhu	Tandwa	29/186	Chatra	26.20	10.61	Part
TOTAL AREA :					72.50	Acres	(approx.)
Or					29.36	Hectares	(approx.)

Plot numbers to be acquired in village Kundi :-

1(P), 9(P), 10 to 72, 73(P), 75(P), 76(P), 79(P), 80(P), 81 to 87, 88(P), 89(P), 90 to 108, 109(P), 110(P), 111 to 121, 122(P), 124(P), 125, 126, 127(P), 136(P), 137(P), 138 to 141, 142(P), 144(P), 154(P), 157, 158, 159(P), 160(P), 161(P), 163(P), 164 to 169, 170(P), 171(P), 183(P), 242(P) and 400.

Plot numbers to be acquired in village Saradhu :-

448(P), 449, 450, 451(P), 452, 453(P), 454, 455(P), 474, 475, 476 and 477(P).

Boundary Description :-

- W-X - Line starting from 'W' passes plot numbers 477, 1954 and 448 in village Saradhu and meets at point 'X'.
- X-Y-Z - Lines pass through plot numbers 9, 1, 242, 171, 170, 163, 161, 160, 183, 154, 159, 109, 144, 142, 136, 137, 127, 124 and 122 in village Kundi and meets at point 'Z'.
- Z-W - Line passes through plot numbers 89, 88, 80, 79, 76, 75, 73 in village Kundi and plot numbers 453, 455, 451 and 477 in village Saradhu and meet at starting point 'W'.

[No. 43015/24/2000-P.R.I.W.]  
SANJAY BAHADUR Dy. Secy.

नई दिल्ली, 10 जून, 2002

का. आ. 2061.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (i) के अधीन भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii), तारीख 21 अप्रैल, 2001 में प्रकाशित भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्यांक का0 आ0 सं0 804 तारीख 11 अप्रैल, 2001 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 4504.78 एकड़ (लगभग) या 1823.80 हेक्टेयर (लगभग) है, कोयले का पूर्वक्षण करने के अपने आशय की सूचना दी थी ;

और केन्द्रीय सरकार का यह समाधान हो गया है कि उक्त भूमि में कोयला अभिप्राप्य है ।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इससे संलग्न अनुसूची में वर्णित 3208.50 एकड़ (लगभग) या 1298.98 हेक्टेयर (लगभग) माप की भूमि का अर्जन करने के अपने आशय की सूचना देती है ।

**टिप्पण 1 :** इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं0 राजस्व/3/2001 तारीख 6 सितंबर, 2001 का निरीक्षण उपायुक्त घतरा, झारखंड के कार्यालय में या सेंट्रल कोलफील्ड्स लिमिटेड (राजस्व अनुभाग) दरभंगा हाउस, रांची, झारखंड के कार्यालय में किया जा सकता है ।

**टिप्पण 2 :** कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध हैं -

#### 8. अर्जन की बाबत आपत्तियां -

(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

**स्पष्टीकरण :-** इस धारा के अर्थान्तर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन संक्रियाएं करना चाहता है और ऐसी संक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए ।

(2) उपधारा (1) के अधीन प्रत्येक आपत्ति सक्षम प्राधिकारी को लिखित रूप में की जाएगी और सक्षम प्राधिकारी आपत्तिकर्ता को स्वयं सुने जाने का या विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात और ऐसी अतिरिक्त जांच यदि कोई हो, करने के पश्चात जो वह आवश्यक समझता है, वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि का या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।

(3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होता, यदि भूमि या ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते।”

**टिप्पण 3 :** केन्द्रीय सरकार ने 11 जून, 1983 के भारत के राजपत्र में पृष्ठ 2442 से 2446 पर प्रकाशित अधिसूचना सं० का०आ० 2518 तारीख 27 मई 1983 द्वारा कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकता को उक्त अधिनियम की धारा 3 के अधीन सक्षम प्राधिकारी नियुक्त किया है।

**अनुसूची**  
**अमरपाली ब्लॉक**  
**उत्तर करनपुर कोलफील्ड्स**  
**जिला चतरा (झारखंड)**

(अर्जित की जाने वाली भूमि को दर्शित करते हुए)

सभी अधिकार

क्र०सं०	ग्राम	थाना	थाना	जिला	क्षेत्र एकड़ में	क्षेत्र हैक्टर में	टिप्पणियां
1	2	3	4	5	6	7	8
1.	विंगलात	टन्डवा	49/206	चतरा	568.50	230.16	भाग
2.	होनहे	टन्डवा	50/207	चतरा	515.00	208.50	भाग
3.	कुमरंग खुर्द	टन्डवा	51/208	चतरा	710.00	287.45	भाग
4.	कुमरंग कला	टन्डवा	52/209	चतरा	965.00	390.69	भाग
5.	उर्सू	टन्डवा	54/211	चतरा	450.00	182.18	भाग

कुल योग क्षेत्र 3208.50 एकड़ (लगभग)

या

1298.98 हैक्टर (लगभग)

ग्राम विंगलात में अर्जित किए जाने वाले प्लॉट सं० :-

1 (पी), 2 (पी), 3 से 280,284 (पी) रास्ता, 291,292 (पी), 293 से 727,728 (पी) और 729

**ग्राम होनहे में अर्जित किए जाने वाले प्लॉट सं० :-**

274 (पी), 651 (पी), 685 (पी), 687 (पी), 690 (पी), 691 (पी), 695 से 702, 703 (पी), 704 (पी), 705, 706 (पी), 707 (पी), 718 (पी), 719, 720, 721 (पी), 722 से 738, 796, 797, 800 से 806, 807 (पी), 844 (पी), 855 (पी), 856, 857, 872 (नाला), 874, 876 (पी), 877 (पी) और 878 (पी)

**ग्राम कुमरांग खुर्द में अर्जित किए जाने वाले प्लॉट सं०**

1 से 75, 77, 89 से 117, 127 (पी), रास्ता, 134 से 172, 207 (पी), 208 (पी), 209 (पी), 211 (पी) और 370 (पी) (रास्ता)

**ग्राम कुमरांग कला में अर्जित किए जाने वाले प्लॉट सं०**

1 से 168, 208, 210 से 217, 219 से 304, 416, 419 से 424, 435 से 551, 552 (पी), 554 (पी), 570, 572 (नाला) और 574 से 587

**ग्राम उर्सु में अर्जित किए जाने वाले प्लॉट सं०**

1 से 360, 363 से 380, 476 से 525, 527, 528, 529, 530 (पी), 531, 537 (पी), 570 से 577, 582, 584, 585 (पी) और 649

**सीमा वर्णन**

क-ख-ग : रेखा ग्राम होनहे में प्लॉट सं० 651, 721, 691, 690, 687, 685, 703, 704, 706, 707, 718 और 807 से होकर बिन्दु "क" से आरंभ होती है और बिन्दु "ग" पर मिलती है।

ग-घ-ड : रेखा ग्राम होनहे में प्लॉट सं० 844, 876, 877 और 878 से होकर ग्राम नौदिहा और होनहे में धर- धर्या के साथ-साथ गुजरती है और बिन्दु "ड" पर मिलती है।

ड-ध : रेखा ग्राम कुमरांग खुर्द में प्लॉट सं० 208, 209, 211 और 207 से होकर गुजरती है और बिन्दु "ध" पर मिलती है।

च-छ-ज : रेखा ग्राम कुमरांग कला में प्लॉट सं० 554 और 552 ग्राम उर्सु में प्लॉट सं० 450, 530, 537 और 585 से होकर गुजरती है और बिन्दु "ज" पर मिलती है।

ज-झ-ञ-ट : रेखा ग्राम उर्सु में प्लॉट सं० 585 के केन्द्र से, उर्सु और सिजहुआ, कुमरांग कला और सिजहुआ, विंगलात और पचन्दा ग्रामों में सम्मिलित सीमा से बर्की नदी की केन्द्रीय रेखा से होकर गुजरती है और बिन्दु "ट" पर मिलती है।

ट-क : रेखा ग्राम बिंगलात में प्लॉट सं० 728, 292, 2 और 1 ग्राम होनहे में प्लॉट सं० 855, 274 और 651 से होकर गुजरती है और आरंभिक बिन्दु "क" पर मिलती है।

[फा. सं. 43015/23/2000-पी.आर. आई डब्ल्यू]

संजय बहादुर, उप सचिव

New Delhi, the 10th June, 2002

S. O. 2061.—Whereas by the notification of the Government of India in the Ministry of Coal number, S.O. 804, dated the 11<sup>th</sup> April, 2001, published in the Gazette of India Part – II, Section 3, Sub-section (ii), dated the 21<sup>st</sup> April, 2001, issued under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for Coal in 4504.78 acres (approximately) or 1823.80 hectares (approximately) of the lands in the locality specified in the Schedule appended to that notification ;

And whereas the Central Government is satisfied that Coal is obtainable from the said lands ;

Now, therefore, in exercise of the powers conferred by sub – section (1) of section 7 of the said Act, the Central Government hereby give notice of its intention to acquire the lands measuring 3208.50 acres (approximately) or 1298.98 hectares (approximately) described in the Schedule appended hereto ;

Note 1.- The plan No. Rev/3/2001, dated the 6<sup>th</sup> September, 2001, of the area covered by this notification may be inspected in the Office of the Deputy Commissioner, Chatra Jharkhand or in the office of the Central Coalfields Limited (Revenue Section), Darbhanga House, Ranchi, Jharkhand.

Note 2.- Attention is hereby invited to the provisions of section 8 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), which provides as follows :-

ee8 *Objection to acquisition.* - (1) Any person interested in any land in respect of which a notification under section 7 has been issued may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or any rights in or over such lands.

Explanation - It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of section 7 or of rights in or over such land, or make different report in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decisions of that Government.



- (3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act. ”

**Note 3:-** The Coal Controller, 1, Council House Street, Kolkata, has been appointed by the Central Government, as the competent authority under section 3 of the said Act vide notification number S.O. 2518, dated the 27<sup>th</sup> May, 1983 published in the Gazette of India dated the 11<sup>th</sup> June, 1983 at pages 2442 to 2446.

### Schedule

#### Amarpali Block

(North Karanpura Coalfields )

DISTRICT : CHATRA ( JHARKHAND)

(Showing land to be acquired).

#### ALL RIGHTS

Serial Number	Village	Thana	Thana No.	District	Area in acres	Area in hect.	Remarks
1.	2.	3.	4.	5.	6.	7.	8.
1.	Binglat	Tandwa	49/206	Chatra	568.50	230.16	Part
2.	Honhe	Tandwa	50/207	Chatra	515.00	208.50	Part
3.	Kumrang Khurd	Tandwa	51/208	Chatra	710.00	287.45	Part
4.	Kumrang Kalan	Tandwa	52/209	Chatra	965.00	390.69	Part
5.	Ursu	Tandwa	54/211	Chatra	450.00	182.18	Part
TOTAL AREA :					3208.50	Acres	(approx.)
Or					1298.98	Hect.	(approx.)

Plot numbers to be acquired in village Binglat :-

1(P), 2(P), 3 to 280, 284(P) Rasta, 291, 292(P), 293 to 727, 728(P) and 729.

Plot numbers to be acquired in village Honhe :-

274(P), 651(P), 685(P), 687(P), 690(P), 691(P), 695 to 702, 703(P), 704(P), 705, 706(P), 707(P), 718(P), 719, 720, 721(P), 722 to 738, 796, 797, 800 to 806, 807(P), 844(P), 855(P), 856, 857, 872 (nalla), 874, 875, 876(P), 877(P) and 878(P).

Plot numbers to be acquired in village Kumrang Khurd :-

1 to 75, 77, 89 to 117, 127(P) (rasta), 134 to 172, 207(P), 208(P), 209(P), 211(P) and 370(P) (rasta).

**Plot numbers to be acquired in village Kumrang Kalan:-**

1 to 168, 208, 210 to 217, 219 to 304, 416, 419 to 424, 435 to 551, 552(P), 554(P), 570, 572 (nalla) and 574 to 587.

**Plot numbers to acquired in village Ursu :-**

1 to 360, 363 to 380, 476 to 525, 527, 528, 529, 530(P), 531, 537(P), 570 to 577, 582, 584, 585(P) and 649.

**Boundary Description .-**

- A-B-C - Line starting point 'A' through plot numbers 651, 721, 691, 690, 687, 685, 703, 704, 706, 707, 718 and 807 in village Honhe and meets at point 'C'.
- C-D-E - Lines pass along Dhardharya Nadi in villages Naudiha and Honhe through plot numbers 844, 876, 877 and 878 in village Honhe and meets at point 'E'.
- E-F - Line passes through plot numbers 208, 209, 211 and 207 in village Kumrang Khurd and meets at point 'F'.
- F-G-H - Lines pass through plot numbers 554 and 552 in village Kumrang Kalan, plot numbers 450, 530, 537 and 585 in village Ursu and meets at point 'H'.
- H-I-J-K - Lines pass through centre of plot number 585 in village Ursu, Central line of Barki Nadi from common boundary in villages Ursu and Sijhua, Kumrang Kalan and Sijhua, Binglat and Pachanda and meets at point 'K'.
- K-A - Line passes through plot numbers 728, 292, 2 and 1 in village Binglat, plot numbers 855, 274 and 651 in village Honhe and meets at starting point 'A'.

[No. 43015/23/2000-P.R.I.W.]  
SANJAY BAHADUR Dy. Secy.

## पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 6 जून, 2002

का. आ. 2062.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी और भारत के राजपत्र तारीख 6 अक्टूबर 2001 में प्रकाशित पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2655 तारीख 28 सितम्बर 2001, द्वारा गुजरात राज्य में मुन्द्रा-पत्तन स्थित अपरिष्कृत तेल संस्थापन (सी. ओ. टी.) से पंजाब राज्य में भटिण्डा तक गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड (हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड की एक समनुषंगी) द्वारा मुन्द्रा-भटिण्डा अपरिष्कृत तेल पाइपलाइन के माध्यम से पेट्रोलियम उत्पादों के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने के अपने आशय की घोषणा की थी ;

और उक्त अधिसूचना की प्रतियाँ जनता को तारीख 18 अक्टूबर 2001 से 21 अक्टूबर 2001 तक उपलब्ध करा दी गई थीं ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए ;

अतः, अब केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमि में पाइपलाइन बिछाने के लिए उपयोग का अधिकार अर्जित किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त, गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड (हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड की समनुषंगी) में निहित होगा।

## अनुसूची

तहसील : जालोर		जिला : जालोर		राज्य : राजस्थान	
क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU हेक्टर	क्षेत्रफल एयर
	1	2	3	4	
1	आलासन	544		0	24
		545		0	18
		551		0	17
		552		0	22
		553		0	09
		533	कार्ट ट्रैक खेत से खेत सरकारी भूमि	0	01
		532		0	21
		531		0	01
		562		0	19
		563		0	07
		564		0	32
		568		0	04
		569		0	14
		570		0	02
		571	कार्ट ट्रैक सरकारी भूमि	0	01
		485		0	06
		484		0	66
		481	कार्ट ट्रैक खेत से खेत सरकारी भूमि	0	02
		449		0	01
		448		0	47
		447		0	13
		440		0	05
		442		0	18
		445		0	23
		444		0	06
		435		0	07
		431	गाँवचर सरकारी भूमि	0	49
		1011	431 ; कार्ट ट्रैक सरकारी भूमि	0	04
		1012	431 ; गाँवचर सरकारी भूमि	0	36
		415		0	44
		243	कार्ट ट्रैक खेत से खेत सरकारी भूमि	0	02
		334		0	54
		251		0	17
		252	कार्ट ट्रैक खेत से खेत सरकारी भूमि	0	02
		255		0	48
		321		0	14
		295	कार्ट ट्रैक सरकारी भूमि	0	02
		262		0	28

तहसील : जालौर		जिला : जालौर		राज्य : राजस्थान		3
क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	
	1	2	3	4		
1	आलासन ( जारी )	1057	262	0	19	
		266		0	18	
		269		0	16	
		268		0	03	
		267	कुआँ	0	01	
		272		0	04	
		275		0	36	
		273		0	01	
		293		0	09	
		292		0	03	
		277	गै. मु. रास्ता	0	02	
		278		0	34	
		228	रोड सरकारी भूमि	0	01	
		1967		0	04	
		1962		0	07	
2	गोल ( उम्मेदाबाद )	1963		0	15	
		1964		0	20	
		1965		0	15	
		1966		0	16	
		1879		0	36	
		1880		0	12	
		1878		0	11	
		1877		0	06	
		1875		0	13	
		1873	रोड उम्मेदाबाद से केशवाना	0	04	
		1871		0	10	
		1870		0	20	
		1869	2028	0	03	
		1869		0	22	
		1868		0	26	
		1867		0	04	
3	कतरासन	13		0	77	
		18		0	41	
		21		0	37	
		25	कार्ट ट्रैक सरकारी भूमि	0	02	
		26		0	04	
		27		0	02	
		37		0	33	
		45		0	12	
		52	ओरण सरकारी भूमि	0	42	

तहसील : जालौर		जिला : जालौर		राज्य : राजस्थान		4
क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	घरर	
	1	2	3	4		
3	कलशसन ( जाही )	51	ओरण सरकारी भूमि	0	10	
		50		0	55	
		72		0	32	
		75		0	06	
4	केशवाना	113		0	34	
		111		0	32	
		110		0	50	
		109		0	03	
5	हेलाना	2843	कार्ट ट्रैक क्षेत्र से क्षेत्र सरकारी भूमि	0	28	
		2878		0	36	
		2879		0	03	
		2880		0	40	
		2910		0	33	
		2911		0	38	
		2917		0	13	
		2914		0	02	
		2916		0	02	
		2953		0	20	
		2952		0	02	
		2951		0	02	
		2921		0	22	
		2947		0	30	
		2944		0	02	
		2943		0	16	
		2940		0	01	
		2939		0	20	
		2963		0	11	
		2752	नदी सरकारी भूमि	0	55	
		2747	नदी सरकारी भूमि	0	16	
		2748	नदी सरकारी भूमि	0	67	
		2749	नदी सरकारी भूमि	0	46	
6	डांगरा	959	नदी सरकारी भूमि	0	18	
		887	गाँव सरकारी भूमि	0	16	
		727		0	12	
		726		0	03	
		725		0	15	
		728		0	15	
		731		0	05	
		732	कार्ट ट्रैक क्षेत्र से क्षेत्र सरकारी भूमि	0	01	
		735		0	06	

तहसील : जालोर		जिला : जालोर		राज्य : राजस्थान		5
क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	घर	
	1	2	3	4		
6	डांगरा ( जारी )	733		0	05	
		868		0	01	
		742		0	16	
		850	कार्ट ट्रैक खेत से खेत सरकारी भूमि	0	16	
		867		0	01	
		866		0	05	
		865		0	08	
		860		0	37	
		859	कार्ट ट्रैक सरकारी भूमि	0	01	
		857		0	03	
		746		0	34	
		745		0	03	
		751		0	13	
		754		0	07	
		755		0	25	
		824		0	38	
		830		0	02	
		820		0	20	
		812		0	12	
		811	कार्ट ट्रैक खेत से खेत सरकारी भूमि	0	02	
		784		0	53	
		785		0	02	
		786		0	07	
		783	ओरण सरकारी भूमि	0	07	
		551	कार्ट ट्रैक डांगरा से मांडवला सरकारी भूमि	0	05	
		560		0	07	
		557		0	17	
		556		0	20	
		555		0	21	
		543		0	01	
		552		0	42	
		544		0	41	
		549		0	30	
		532	ओरण सरकारी भूमि	0	03	
7	रहुजा	377	कार्ट ट्रैक सरकारी भूमि	0	07	
		382		0	16	
		404		0	20	
		405		0	14	
		403		0	23	
		402		0	08	

तहसील : जालोर		जिला : जालोर		राज्य : राजस्थान		6
क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	
	1	2	3	4		
7	रदुजा ( जारी )	425	कार्ट ट्रैक सरकारी भूमि	0	02	
		440		0	17	
		439		0	01	
		438		0	16	
		436		0	27	
		446		0	60	
		433	कार्ट ट्रैक डांगरा से खेत सरकारी भूमि	0	02	
		427		0	15	
		341	आसफाल्ट रोड स्टेट हाईवे-15 जालोर से मोकरा	0	06	
		306		0	42	
		309		0	05	
		315		0	01	
		308		0	16	
		307		0	30	
		317		0	18	
		318	कार्ट ट्रैक सरकारी भूमि	0	02	
		319	कार्ट ट्रैक सरकारी भूमि	0	01	
		320		0	13	
		321		0	16	
		322		0	42	
		301	ओरण सरकारी भूमि	0	10	
		300		0	42	
8	आवंलोज	802	ओरण सरकारी भूमि	0	10	
		801	ओरण सरकारी भूमि	0	41	
		800	ओरण सरकारी भूमि	0	16	
		777	रोड सा.नि.वि.	0	01	
		757		0	59	
		761	गै. मू. बाड़ा सरकारी भूमि	0	20	
		755		0	01	
		751	गौचर सरकारी भूमि	0	01	
		760	कार्ट ट्रैक आवंलोज से खेत सरकारी भूमि	0	02	
		762	कार्ट ट्रैक सरकारी भूमि	0	01	
		774		0	03	
		763		0	40	
		764		0	21	
		748		0	32	
		741		0	04	
		744		0	42	
		731	कार्ट ट्रैक खेत से खेत सरकारी भूमि	0	01	
		685	ओरण सरकारी भूमि	0	26	



तहसील : जालौर		जिला : जालौर		राज्य : राजस्थान		7
क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एकर	
	1	2	3	4		
8	आंवलोज ( जारी )	684		0	51	
		682		0	11	
		680	कार्ट ट्रैक सरकारी भूमि	0	01	
		681		0	08	
		667		0	05	
		136		0	02	
		324	रोड सरकारी भूमि	0	02	
		325	रोड सरकारी भूमि	0	18	
		326		0	33	
		328		0	20	
		329		0	21	
		340		0	28	
		341		0	03	
		339		0	52	
		334		0	02	
		336		0	21	
		353		0	08	
		354		0	09	
		352		0	18	
		356		0	52	
		396		0	40	
		359		0	07	
		364		0	03	
		365		0	27	
		390		0	40	
		389		0	01	
		385		0	01	
		386		0	10	
		377		0	30	
9	थलुण्डा	445		0	11	
		448	480	0	21	
		457		0	72	
		455		0	18	
		456		0	35	
		428		0	02	
10	बालवाड़ा	429	रोड थलुण्डा से आंवलोज सरकारी भूमि	0	02	
		1314		0	37	
		864		0	44	
		867		0	52	
		852		0	52	

तहसील : जालोर		जिला : जालोर		राज्य : राजस्थान		8
क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	घर	
	1	2	3	4		
10	बालवाड़ा	848		0	34	
	( जारी )	847		0	28	
		880	ओरण सरकारी भूमि	0	01	
		814		0	26	
		808	कार्ट ट्रैक क्षेत्र से क्षेत्र सरकारी भूमि	0	01	
		807	1766	0	30	
		807	1767	0	08	
		802		0	42	
		801		0	01	
		798		0	12	
		746		0	66	
		881	आसफाल्ट रोड बलवाड़ा से काटोड़ी	0	02	
		130		0	18	
		129		0	13	
		125		0	28	
		123		0	01	
		122		0	30	
		121		0	40	
		1786	117	0	25	
		115		0	50	
		113		0	08	
		34	1684	0	32	
		110	कार्ट ट्रैक क्षेत्र से क्षेत्र	0	02	
		105		0	22	
		43		0	50	
		42		0	01	
		44		0	13	
		46		0	28	
		63		0	20	
		62		0	23	
		64		0	03	
		61		0	06	
		64	1705	0	25	
		66	1772	0	03	
		66	1771	0	16	
		68		0	02	
		67		0	13	
		69		0	13	
		70		0	01	

तहसील : जालौर			जिला : जालौर	राज्य : राजस्थान	9
क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल	
				हेक्टर	घरर
	1	2	3	4	
11	वासन	309	गें. मु. गौंघर सरकारी भूमि	1	43
		308	गें. मु. गौंघर सरकारी भूमि	0	04
		305	मुडिया रोड वासन से बलवाड़ा	0	04
		298	गें. मु. गौंघर सरकारी भूमि	0	02

फा. सं. आर. 31015/22/2001/ओ.आर. II]

हरीश कुमार, अवर सचिव

## Ministry of Petroleum and Natural Gas

New Delhi, the 6th June, 2002

S. O. 2062.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. number 2655 dated 28<sup>th</sup> September, 2001 issued under sub-section (1) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962, (50 of 1962), (hereinafter referred to as the said Act), published in the Gazette of India dated 6<sup>th</sup> October, 2001, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum products from Crude Oil Terminal (COT) at Mundra Port in the State of Gujarat to Bathinda in the State of Punjab through Mundra-Bathinda Crude Oil pipeline, by Guru Gobind Singh Refineries Limited (A subsidiary of Hindustan Petroleum Corporation Limited);

And whereas, copies of the said notification were made available to the public from 18<sup>th</sup> October, 2001 to 21st October, 2001;

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has submitted his report to the Central Government;

And whereas, the Central Government, after considering the said report, is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall, instead of vesting in the Central Government, vest, in the Guru Gobind Singh Refineries Limited (A subsidiary of Hindustan Petroleum Corporation Limited) free from all encumbrances.

**SCHEDULE**

2

Tehsil : Jalore

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part if Any	ROU Area	
				Hect.	Are.
	1	2	3	4	
1	ALASAN	544		0	24
		545		0	18
		551		0	17
		552		0	22
		553		0	09
		533	Cart Track Field to Field G.L.	0	01
		532		0	21
		531		0	01
		562		0	19
		563		0	07
		564		0	32
		568		0	04
		569		0	14
		570		0	02
		571	Cart Track G.L.	0	01
		485		0	06
		484		0	66
		481	Cart Track Field to Field G.L.	0	02
		449		0	01
		448		0	47
		447		0	13
		440		0	05
		442		0	18
		445		0	23
		444		0	06
		435		0	07
		431	GOCHAR G.L.	0	49
		1011	431 ; Cart Track G.L.	0	04
		1012	431 ; GOCHAR G.L.	0	36
		415		0	44
		243	Cart Track Field to Field G.L.	0	02
		334		0	54
		251		0	17
		252	Cart Track Field to Field G.L.	0	02
		255		0	48
		321		0	14
		295	Cart Track G.L.	0	02
		262		0	28

Tehsil : Jalore

District : Jalore

State : Rajasthan

3

Sr. No.	Name of Village	Survey No.	Part if Any	ROU Area	
				Hect.	Are.
	1	2	3	4	
1	ALASAN (Contd.)	1057	262	0	19
		266		0	18
		269		0	16
		268		0	03
		267		0	01
		272		0	04
		275		0	36
		273		0	01
		293		0	09
		292		0	03
		277	Cart Track G.M.	0	02
		278		0	34
		228	ROAD G.L.	0	01
2	GOL (Ummedabad)	1967		0	04
		1962		0	07
		1963		0	15
		1964		0	20
		1965		0	15
		1966		0	16
		1879		0	36
		1880		0	12
		1878		0	11
		1877		0	06
		1875		0	13
		1873	Road Ummedabad to Keshwana	0	04
		1871		0	10
		1870		0	20
		1869	2028	0	03
		1869		0	22
		1868		0	26
		1867		0	04
3	KATRASAN	13		0	77
		18		0	41
		21		0	37
		25	Cart Track G.L.	0	02
		26		0	04
		27		0	02
		37		0	33
		45		0	12
		52	Oran G.L.	0	42

Tehsil : Jalore

District : Jalore

State : Rajasthan

4

Sr. No.	Name of Village	Survey No.	Part if Any	ROU Area	
				Hect.	Are.
	1	2	3	4	
3	KATRASAN (Contd.)	51	Oran G.L.	0	10
		50		0	55
		72		0	32
		75		0	06
4	KESHWANA	113		0	34
		111		0	32
		110		0	50
		109		0	03
5	ELANA	2843	Cart Track Field to Field G.L.	0	28
		2878		0	36
		2879		0	03
		2880		0	40
		2910		0	33
		2911		0	38
		2917		0	13
		2914		0	02
		2916		0	02
		2953		0	20
		2952		0	02
		2951		0	02
		2921		0	22
		2947		0	30
		2944		0	02
		2943		0	16
		2940		0	01
		2939		0	20
		2963		0	11
		2752		0	55
		2747		0	16
		2748		0	67
		2749		0	46
6	DANGRA	959	River G.L.	0	18
		887	GOCHAR G.L.	0	16
		727		0	12
		726		0	03
		725		0	15
		728		0	15
		731		0	05
		732	Cart Track Field to Field G.L.	0	01
		735		0	06

Tehsil : Jalore

District : Jalore

State : Rajasthan

5

Sr. No.	Name of Village	Survey No.	Part if Any	ROU Area	
				Hect.	Are.
	1	2	3	4	
6	DANGRA (Contd.)	733		0	05
		868		0	01
		742		0	16
		850	Cart Track Field to Field G.L.	0	16
		867		0	01
		866		0	05
		865		0	08
		860		0	37
		859	Cart Track G.L.	0	01
		857		0	03
		746		0	34
		745		0	03
		751		0	13
		754		0	07
		755		0	25
		824		0	38
		830		0	02
		820		0	20
		812		0	12
		811	Cart Track Field to Field G.L.	0	02
		784		0	53
		785		0	02
		786		0	07
		783	Oran G.L.	0	07
		551	Cart Track Dangra to Mandavla G.L.	0	05
		560		0	07
		557		0	17
		556		0	20
		555		0	21
		543		0	01
		552		0	42
		544		0	41
		549		0	30
		532	Oran G.L.	0	03
7	RATUJA	377	Cart Track G.L.	0	07
		382		0	16
		404		0	20
		405		0	14
		403		0	23
		402		0	08

Tehsil : Jalore

District : Jalore

State : Rajasthan

6

Sr. No.	Name of Village	Survey No.	Part if Any	ROU Area	
				Hect.	Are.
	1	2	3	4	
7	RATUJA (Contd.)	425	Cart Track G.L.	0	02
		440		0	17
		439		0	01
		438		0	16
		436		0	27
		446		0	60
		433	Cart Track Dangra to Field G.L.	0	02
		427		0	15
		341	Asphalted Road SH-15 Jalor to Mokalsar	0	06
		306		0	42
		309		0	05
		315		0	01
		308		0	16
		307		0	30
		317		0	18
		318	Cart Track G.L.	0	02
		319	Cart Track G.L.	0	01
		320		0	13
		321		0	16
		322		0	42
		301	Oran G.L.	0	10
		300		0	42
8	ANVLOJ	802	Oran G.L.	0	10
		801	Oran G.L.	0	41
		800	Oran G.L.	0	16
		777	ROAD P.W.D.	0	01
		757		0	59
		761	G.M. BARA G.L.	0	20
		755		0	01
		751	GOCHAR G.L.	0	01
		760	Cart Track Anvloj to Field G.L.	0	02
		762	Cart Track G.L.	0	01
		774		0	03
		763		0	40
		764		0	21
		748		0	32
		741		0	04
		744		0	42
		731	CT Field to Field G.L.	0	01
		685	Oran G.L.	0	28



Tehsil : Jalore

District : Jalore

State : Rajasthan

7

Sr. No.	Name of Village	Survey No.	Part if Any	ROU Area	
				Hect.	Are.
	1	2	3	4	
8	ANVLOJ (Contd.)	684		0	51
		682		0	11
		680	Cart Track G.L.	0	01
		681		0	08
		667		0	05
		136		0	02
		324	ROAD G.L.	0	02
		325	ROAD G.L.	0	18
		326		0	33
		328		0	20
		329		0	21
		340		0	28
		341		0	03
		339		0	52
		334		0	02
		336		0	21
		353		0	08
		354		0	09
		352		0	18
		356		0	52
		396		0	40
		359		0	07
		364		0	03
		365		0	27
		390		0	40
		389		0	01
		385		0	01
		386		0	10
		377		0	30
9	THALUNDA	445		0	11
		448	480	0	21
		457		0	72
		455		0	18
		456		0	35
		428		0	02
		429	Road Thalunda to Anvloj G.L.	0	02
10	BALWARA	1314		0	37
		864		0	44
		867		0	52
		852		0	52

Tehsil : Jalore

District : Jalore

State : Rajasthan

8

Sr. No.	Name of Village	Survey No.	Part if Any	ROU Area	
				Hect.	Are.
	1	2	3	4	
10	BALWARA	848		0	34
	(Contd.)	847		0	28
		880	Oran G.L.	0	01
		814		0	26
		808	Cart Track Field to Field G.L.	0	01
		807	1766	0	30
		807	1767	0	08
		802		0	42
		801		0	01
		798		0	12
		746		0	66
		881	Asphalted Road Balwada to Kathadi	0	02
		130		0	18
		129		0	13
		125		0	28
		123		0	01
		122		0	30
		121		0	40
		1786	117	0	25
		115		0	50
		113		0	08
		34	1684	0	32
		110	Cart Track Field to Field	0	02
		105		0	22
		43		0	50
		42		0	01
		44		0	13
		46		0	28
		63		0	20
		62		0	23
		64		C	03
		61		0	06
		64	1705	0	25
		66	1772	0	03
		66	1771	0	16
		68		0	02
		67		0	13
		69		0	13
		70		0	01

Tehsil : Jalore

District : Jalore

State : Rajasthan

9

Sr. No.	Name of Village	Survey No.	Part if Any	ROU Area	
				Hect.	Are.
	1	2	3	4	
11	WASAN	309	GOCHAR G.L.	1	43
		308	GOCHAR G.L.	0	04
		305	Metal Road Wasan to Balwada	0	04
		298	GOCHAR G.L.	0	02

[F.No. R-31015/22/2001 OR-II.]  
HARISH KUMAR, Under Secy.

नई दिल्ली, 19 जून, 2002

का. आ. 2063.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मन्त्रालय की अधिसूचना संख्या का. आ. 3458 तारीख 21 दिसम्बर, 2001 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड (हिन्दुस्तान पेट्रोलियम कार्पोरेशन की समनुषंगी) द्वारा मुन्द्रा-भटिंडा अपरिष्कृत तेल पाइपलाइन परियोजना के माध्यम से गुजरात राज्य में मुन्द्रा पत्तन स्थित अपरिष्कृत तेल संस्थापन (सी.ओ.टी.) से पंजाब राज्य में भटिंडा तक पेट्रोलियम उत्पादों के परिवहन के लिये पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 25 जनवरी 2002 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग का अधिकार अर्जित करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है पाइपलाइन बिछाने के लिए उक्त भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख से, केन्द्रीय सरकार में निहित होने की बजाए सभी वित्तीय मामलों से मुक्त, गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड (हिन्दुस्तान पेट्रोलियम कार्पोरेशन लिमिटेड की समनुषंगी) में निहित होगा।

**अनुसूची**

तहसील : भीनमाल

ज़िला : जालौर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग.मी.
	1	2	3	4		
1	कोटड़ा	167		0	11	20
		118	आस्पल्ट रोड सरकारी भूमि सा.नि.वि.	0	05	90
		117	गै.मु.. गोचर सरकारी भूमि	0	36	00
		112	सरकारी भूमि औरण	0	03	00
		111	कार्ट ट्रैक कोटड़ा से मालवाडा सरकारी भूमि	0	01	00
		94		0	05	08
		80		0	02	97
		83		0	06	54
		82		0	00	10
		84		0	05	28
		85		0	04	64
		88		0	03	27
		87		0	06	50
		86		0	02	65
		72		0	11	80
		47		0	06	54
		73		0	00	10
		45		0	01	12
		46		0	06	89
		33		0	34	01
		40		0	00	10
		36		0	17	98
		37		0	05	64
		13	सुकरी नदी सरकारी भूमि	0	21	10
		12		0	23	00
		5		0	31	80
		4		0	18	00
2	धनपुरा	60		0	11	04
		48		0	17	13
		50		0	01	20
		47		0	12	98
		42		0	14	15

तहसील : भीनमाल

ज़िला : जालोर

राज्य : राजस्थान

क्रम सं.	ग्रॉव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग.मी.
	1	2	3	4		
2	धनपुरा	39		0	20	86
	( जारी )	19		0	16	45
		18		0	15	30
		17		0	17	37
		1		0	18	35
3	सावीघर	245		0	15	30
		243	1722	0	06	71
		243		0	01	95
		244		0	12	03
		241		0	18	48
		221		0	09	86
		223		0	06	26
		219		0	01	35
		224		0	01	96
		225		0	13	71
		226		0	13	38
		229		0	00	42
		228		0	11	62
		232		0	06	09
		215		0	18	28
		211		0	00	42
		208		0	23	42
		205		0	00	33
		207		0	14	32
		180	1708 ; सरकारी भूमि कार्ट ट्रैक	0	01	80
		180	सरकारी भूमि नहर (केनाल)	0	04	70
		169		0	00	25
		168		0	11	85
		167		0	10	10
		166		0	05	15
		164		0	02	08
		165		0	09	08
		123		0	23	00
		120		0	00	80

तहसील : भीनमाल

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राज्य : राजस्थान

क्रम सं.	ग्रॉव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग.मी.
	1	2	3	4		
3	सावीधर ( जारी )	121		0	10	96
		122		0	12	60
		125		0	23	87
		115		0	13	77
		114		0	13	60
		113		0	14	79
		106		0	04	62
4	भादरडा	663		0	03	64
		658		0	04	16
		662		0	27	96
		659		0	33	64
		655		0	00	50
		654		0	45	32
		660		0	03	00
		653		0	02	56
		610	सरकारी भूमि कार्ट ट्रैक	0	01	32
		563		0	45	18
		555		0	02	27
		567		0	23	63
		554		0	00	67
		539		0	28	53
		541		0	06	00
		540		0	17	48
		538		0	00	76
		537		0	02	00
		536		0	24	75
		521		0	02	40
		459		0	02	67
		460		0	15	43
		461		0	17	60
		463		0	24	43
		462		0	00	50
		464		0	01	47
		247		0	02	25
		246		0	38	20

तहसील : भीनमाल

जिला : जालौर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग मी.
	1	2	3	4		
4	भादरड़ा ( जारी )	466	सड़क सरकारी भूमि सा.नि.वि.	0	02	40
		60		0	01	28
		63		0	35	50
		67		0	07	90
		68		0	29	45
		71		0	12	90
		40		0	04	47
		39		0	14	79
		38		0	17	97
		37		0	00	08
		72	मूडिया रोड सरकारी भूमि सा.नि.वि.	0	02	40
		10		0	08	70
		11		0	13	55
		12		0	11	43
		13		0	10	86
		24	1074	0	01	39
		14		0	09	30
		15		0	21	60
		4		0	02	70
		2		0	30	00
5	गजीपुरा	194	सरकारी भूमि गाँवचर	0	13	12
		193		0	07	10
		192		0	07	98
		190		0	05	44
		191		0	19	20
		183		0	15	50
		184		0	13	95
		185		0	11	53
		55		0	02	03
		52		0	24	65
		51		0	01	54
		25		0	00	24
		26		0	22	91
		27		0	23	57
		28		0	02	78

तहसील : भीनमाल

जिला : जालौर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग मी.
	1	2	3	4		
6	गजीपुरा ( जारी )	19	सरकारी भूमि कार्ट ट्रैक	0	00	33
		18		0	19	32
		69		0	01	96
		141		0	09	20
		139		0	10	43
		138		0	00	90
		90		0	05	96
		91		0	09	88
		92		0	02	97
		88		0	00	04
		95		0	04	00
		94		0	10	30
		96		0	15	35
		97		0	01	38
		114		0	02	18
		113		0	02	88
		110		0	23	10
		109		0	09	04
		108		0	12	25
		156	सरकारी भूमि कार्ट ट्रैक	0	02	02
		486		0	00	14
		487		0	09	23
		491		0	15	64
		490		0	08	60
		492		0	14	73
		493		0	03	90
		6820		0	01	27
6	भीनमाल	6821	सरकारी भूमि	0	24	85
		6814		0	00	60
		6813		0	25	85
		6822		0	01	00
		6824		0	00	01
		6812		0	03	60
		6841		0	05	93
		6842		0	22	75



तहसील : भीनमाल

जिला : जालोर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग मी.
	1	2	3	4		
6	भीनमाल ( जारी )	6843	सरकारी भूमि	0	15	18
		6857		0	09	52
		6858		0	27	98
		6859		0	00	28
		6856		0	06	79
		6855		0	01	10
		6870	सरकारी भूमि कार्ट ट्रैक	0	02	17
		6877		0	02	55
		6879	सरकारी भूमि	0	10	40
		6000	सरकारी भूमि (पक्की रोड) सा.नि.वि.	0	06	44
		5999	सरकारी भूमि	0	00	58
		5998	सरकारी भूमि	0	11	00
		5979		0	08	40
		5967	7041; सरकारी भूमि	0	07	64
		5967		0	03	96
		5968		0	47	14
		5968	7040 ; सरकारी भूमि	0	01	56
		5969		0	34	98
		5970		0	00	62
		5973		0	09	80
		5971	सरकारी भूमि	0	18	93
		5972	सरकारी भूमि	0	00	27
		5956	सरकारी भूमि कार्ट ट्रैक	0	02	52
		5952	सरकारी भूमि	0	33	63
		5854	सरकारी भूमि (कोटड़ा) नदी	0	08	28
		5852	सरकारी भूमि	0	11	10
		5853	सरकारी भूमि	0	04	32
		5587		0	31	20
		5587	6980 ; सरकारी भूमि	0	17	17
		5588		0	04	00
		5586		0	05	40
		5590		0	07	40
		5591		0	16	75
		5594		0	14	90
		5598		0	09	55

तहसील : भीनमाल

जिला : जालौर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग.मी.
	1	2	3	4		
6	भीनमाल	5599		0	09	90
	( जारी )	5558	सरकारी भूमि नदी	0	02	24
		5429		0	31	70
		5428		0	33	51
		5400		0	01	50
		5427	सरकारी भूमि	0	15	99
		5426	सरकारी भूमि	0	05	46
		5425	सरकारी भूमि	0	00	55
		5405		0	08	10
		5406		0	39	54
		5408		0	01	43
		5409		0	04	65
		5370		0	40	04
		5367		0	52	60
		5364	सरकारी भूमि कार्ट ट्रैक	0	01	03
		5304		0	28	20
		5305		0	14	63
		5339		0	02	78
		5306		0	23	78
		5307		0	07	83
		5308		0	31	11
		5311		0	07	30
		5181	सरकारी भूमि स्टेट हाइवे -31रोड सा.नि.वि.	0	05	60
		5100		0	03	24
		5098		0	16	95
		5099		0	13	20
		5092		0	62	94
		5090		0	10	86
		5088		0	05	81
		5087		0	09	36
		5082	सरकारी भूमि नाले	0	03	40
		5079	सरकारी भूमि	0	04	50
		5080		0	33	60
		5067	खारीवाड़ा नदी	0	13	09
		5058	सरकारी भूमि	0	07	11

तहसील : भीनमाल

जिला : जालौर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग.मी.
	1	2	3	4		
6	भीनमाल	5057		0	14	51
	( जारी )	5059	सरकारी भूमि	0	00	12
		4994	सरकारी भूमि कार्ट ट्रैक	0	01	65
		4971		0	01	22
		4970	सरकारी भूमि कार्ट ट्रैक	0	01	60
		4969		0	18	71
		4967		0	04	65
		4966		0	26	51
		4960		0	12	80
		4852	सरकारी भूमि कार्ट ट्रैक	0	01	60
		4869		0	20	28
		4868		0	24	32
		4867		0	20	48
		4866		0	08	00
		4866	7023 ; नाडा सरकारी भूमि	0	15	30
		4779	सरकारी भूमि रेलवे	0	04	18
		4778	सरकारी भूमि रेलवे	0	03	90
		4692	सरकारी भूमि पड़त	0	06	40
		4693		0	31	98
		4707		0	34	91
		4683		0	24	30
		4684	सरकारी भूमि पड़त	0	09	01
		4681		0	08	10
		4680		0	29	16
		4679		0	37	44
		4678		0	09	04
		4721	सरकारी भूमि कार्ट ट्रैक	0	01	56
		1439		0	15	80
		1438		0	04	20
		1433		0	04	68
		1437		0	44	27
		1436		0	00	38
		1434		0	33	20
		1418		0	27	40
		1419		0	24	57

तहसील : भीनमाल

जिला : जालोर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग मी.
	1	2	3	4		
6	भीनमाल	1411		0	71	02
	( जारी )	1410		0	05	52
		1395		0	22	40
		1392		0	19	90
		1391	सरकारी भूमि कार्ट ट्रैक	0	02	55
		1390		0	52	25
		1375		0	28	61
7	नरता	1699		0	09	35
	कुशलापुरा	1695		0	16	03
		1674		0	01	47
		1658		0	00	61
		1646		0	46	77
		1673		0	01	11
		1645		0	04	60
		1644		0	16	14
		1637		0	16	60
		1555		0	13	30
		1558		0	09	70
		1559		0	09	70
		1560		0	12	90
		1561		0	07	80
		1570		0	40	40
		1566	सरकारी भूमि बारानी ।	0	06	40
		1569		0	01	00
		1596	कार्ट ट्रैक सरकारी भूमि	0	01	60
		1468		0	28	12
		1467		0	01	03
		1440		0	49	15
		1438		0	06	00
		1437		0	00	01
		1441		0	01	00
		1444		0	00	19
		1443		0	07	51
		1442	कार्ट ट्रैक सरकारी भूमि	0	01	50
		1419		0	13	60

तहसील : भीनमाल

जिला : जालौर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग.मी.
	1	2	3	4		
7	नरला	1414		0	13	20
	कुशलापुरा	1415		0	36	10
	( जारी )	1404		0	36	40
		1402		0	01	78
		1401		0	01	32
		1403		0	01	22
		1338	नदी सरकारी भूमि	0	20	05
8	चक चांदपान	315		0	51	38
		312		0	14	40
		242	कार्ट ट्रैक सरकारी भूमि	0	04	10
		189		0	06	65
		193		0	08	05
		194		0	06	30
		237		0	00	01
		238		0	12	80
		239		0	06	50
		240		0	07	15
		241		0	23	61
		235		0	03	84
		227		0	24	90
		228		0	02	22
		226		0	20	38
		221		0	20	35
		219		0	14	70
		218		0	18	90
		215		0	19	90
		213		0	06	35
		212		0	15	12
		211		0	20	88
		246		0	22	11
		247		0	06	52
		248		0	01	93
		249		0	32	96
		269		0	30	85
		265		0	28	97

तहसील : भीनमाल

जिला : जालौर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हुक्टर	एयर	वर्ग.मी.
	1	2	3	4		
8	चक चांदपान ( जारी )	264 253 254 105		0 0 0 0	00 23 59 00	09 88 48 37
9	खाण्डादेवल	325 334 440 439 438 441 462 456 455 434 452 451 450 444 493 494 496 497 516 521 520 548 794 792 791 787 790 789	नदी सरकारी भूमि नहर सरकारी भूमि    कार्ट ट्रैक सरकारी भूमि                नहर सरकारी भूमि  कार्ट ट्रैक सरकारी भूमि	0 0	15 01 10 25 43 12 01 14 23 01 22 14 15 18 37 20 11 29 01 01 24 01 06 15 00 00 04 09	10 20 50 50 81 80 82 35 74 00 85 70 00 40 60 30 40 25 00 82 15 29 10 86 33 63 03

तहसील : भीनमाल

जिला : जालोर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग.मी.
	1	2	3	4		
9	झाण्डादेवल ( जारी )	788 772 773 768 767		0 0 0 0 0	02 04 09 30 07	72 80 83 98 06
10	नासोली	481 481 481 457 458 459 460 462 467 466 434 433 399 395 389 387 388 372 595 594 593 596 598 601 603 602 600 604 607	नदी सरकारी भूमि 1027 1028       कार्ट ट्रैक सरकारी भूमि   बाला सरकारी भूमि       गै. मु. बेश    कार्ट ट्रैक सरकारी भूमि	1 0	41 03 01 00 09 16 00 15 10 02 50 00 13 01 38 02 15 01 19 05 00 19 17 00 01 05 16 00 01	65 71 29 43 97 48 92 80 20 00 00 01 00 48 22 90 90 80 00 70 01 90 20 01 54 68 90 01 40

तहसील : मीनमाल

जिला : जालोर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग मी.
	1	2	3	4		
10	नासोली	611		0	04	14
	( जारी )	609		0	39	96
		608		0	02	24
		729	कार्ट ट्रैक सरकारी भूमि	0	02	00
		732	सरकारी भूमि औरण	0	00	01
		749		0	16	90
		750		0	09	00
		748		0	17	05
		747		0	32	10
		746	कार्ट ट्रैक सरकारी भूमि	0	01	60
		954	औरण सरकारी भूमि	0	71	70
		971	कार्ट ट्रैक सरकारी भूमि	0	02	00
		317	औरण सरकारी भूमि	0	93	80
		284	भागर सेपटा रास्ता सरकारी भूमि	0	02	00
		283	औरण सरकारी भूमि	0	76	59
		280		0	01	26
		186		0	22	22
		187		0	18	80
		185	कार्ट ट्रैक सरकारी भूमि	0	02	20
		148		0	02	18
		149		0	12	60
		155		0	33	80
		151		0	00	64
		154		0	17	42
		153		0	12	91
		160		0	12	55
		161		0	23	57
		162		0	16	62
		163		0	09	38
		164		0	04	30
		167		0	00	01
		140	कार्ट ट्रैक सरकारी भूमि	0	02	00
		115		0	02	68
		112		0	15	49
		111		0	17	55



तहसील : मीनमाल

जिला : जालोर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग.मी.
	1	2	3	4		
10	नासोली	110		0	18	66
	( जारी )	109		0	00	74
		108		0	15	58
		107		0	08	95
		105		0	00	01
		106		0	29	50
		98		0	14	88
		97		0	06	40
		87	कार्ट ट्रैक सरकारी भूमि	0	05	12
		22		0	03	26
11	धानसा	1019		0	04	53
		1018		0	19	45
		1016		0	30	81
		1015		0	38	96
		1014		0	03	07
		1013		0	11	86
		1048		0	19	80
		1049		0	22	26
		1050		0	24	28
		1051		0	30	83
		1052		0	22	80
		1053		0	00	01
		1007	कार्ट ट्रैक सरकारी भूमि	0	04	50
		604		0	19	40
		605		0	17	25
		606		0	18	85
		607		0	17	40
		608		0	21	20
		642		0	25	85
		643		0	15	51
		644		0	15	59
		645		0	15	33
		646		0	00	64
		650		0	20	94
		651		0	39	04

तहसील : भीनमाल

जिला : जालोर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग.मी.
	1	2	3	4		
11	धानसा ( जारी )	655		0	18	87
		654		0	08	63
		656		0	00	33
		656	3924	0	12	20
		667	कार्ट ट्रैक सरकारी भूमि	0	01	00
		677		0	09	30
		678		0	20	09
		682		0	26	60
		683		0	20	96
		684		0	18	00
		688		0	30	65
		695		0	17	25
		696		0	16	65
		699		0	13	50
		698		0	18	77
		713		0	41	90
		714	3658	0	22	30
		715		0	00	01
		718	कार्ट ट्रैक सरकारी भूमि	0	01	20
		348		0	16	65
		347		0	24	40
		719		0	01	42
		346		0	29	70
		327		0	04	32
		720		0	22	23
		324		0	08	67
		323		0	17	68
		309		0	25	13
		308		0	02	88
		724		0	03	01
		725		0	25	20
		726		0	35	70
		747		0	31	70
		748		0	56	50
		750		0	29	95

तहसील : भीनमाल

जिला : जालौर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग मी.
	1	2	3	4		
11	धानसा	752		0	10	59
	( जारी )	751		0	01	94
		753		0	40	70
		783		0	24	20
		784		0	22	80
		787		0	16	83
		788		0	13	00
		791		0	29	18
		275	कार्ट ट्रैक सरकारी भूमि	0	06	96
		88		0	08	26
		792		0	2	47
		89		0	25	00
		98	कार्ट ट्रैक सरकारी भूमि	0	01	00
		99		0	14	20
		101		0	14	60
		197		0	33	93
		195		0	00	60
		196		0	00	40
		192		0	17	90
		191		0	14	45
		183		0	51	40
		180		0	00	37
		174		0	26	73
		173		0	67	00
		266	कार्ट ट्रैक सरकारी भूमि	0	00	01
		156	कार्ट ट्रैक सरकारी भूमि	0	00	60
		152		0	76	50
		267	सरकारी भूमि बारानी ।	0	35	00
		267	4051	0	26	50
		2117	आसफाल्टेड रोड सरकारी भूमि सा.नि.वि.	0	01	60
		2180		0	00	01
		2181		0	44	40
		2179	4050	0	31	13

तहसील : भीनमाल

जिला : जालोर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग.मी.
	1	2	3	4		
11	धानसा ( जारी )	2210	रोड सरकारी भूमि	0	01	40
		2234	4008 ; सरकारी भूमि बारानी	0	01	80
		2234		0	13	70
		2235		0	16	15
		2238		0	12	98
		2239		0	17	41
		2239	4010 ; सरकारी भूमि बारानी ।	0	00	84
		2227	कार्ट ट्रैक बारानी ।	0	17	70
		2258	कार्ट ट्रैक सरकारी भूमि	0	01	00
		2360		0	03	80
		2361		0	30	42
		2362		0	32	30
		2358		0	42	00
		2359		0	00	80
		2320	सरकारी भूमि बारानी ।	0	52	30
		2331	सरकारी भूमि बारानी ।	0	24	00
		2317	कार्ट ट्रैक सरकारी भूमि	0	00	90
		2261	सरकारी भूमि पडल	0	07	10
		2264		0	25	90
		2268	3682 ; सरकारी भूमि बारानी ।	0	23	60
		2268		0	44	90
		2271	कार्ट ट्रैक सरकारी भूमि	0	01	00
		2273	सरकारी भूमि बारानी ।	0	10	70
		2276		0	28	50
		2455	3808	0	25	50
		2455	3807 ; सरकारी भूमि गै.मु.	0	66	00
		2455	नदी सरकारी भूमि	1	94	60
		2455	3809	0	00	01
		2455	3787	0	00	37
		2898	3789	0	01	31
		2899		0	22	54
		2897		0	28	72
		2894	सरकारी भूमि बारानी ।।	0	05	28
		2895		0	19	22
		2885		0	69	76

तहसील : भीनमाल

जिला : जालोर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग.मी.
	1	2	3	4		
11	धानसा ( जारी )	2877	3772 ; सरकारी भूमि चाही ।।।	0	02	50
		2877		0	40	00
		2876		0	22	00
		2878		0	13	88
		2878	3731; नाडी सरकारी भूमि	0	01	12
		2869		0	31	77
		2868		0	05	43
		2906	कार्ट ट्रैक सरकारी भूमि	0	03	50
		3160		0	01	42
		2867		0	04	65
		3159		0	26	10
		3149		0	72	68
		3148		0	02	14
		3152		0	03	99
		3146		0	22	40
		3145		0	23	40
		3140	1	0	30	70
		3140	3949	0	03	20
		3131		0	28	60
		3134		0	25	20
		3062	नाडी सरकारी भूमि	0	00	01
		3063		0	00	01
		3064		0	57	60
		3057		0	31	30
		3055		0	02	00
		3056		0	31	35
		3005		0	32	50
		3006		0	20	50
		2988		0	33	50
		2985		0	45	50
		2960		0	06	90
		2965		0	12	20
		2963		0	02	08
		2964		0	12	72
		2966	3886	0	02	70

तहसील : भीनमाल

जिला : जालोर

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	सर्वेक्षण नं.	हिस्सा क्रमांक	ROU क्षेत्रफल		
				हेक्टर	एयर	वर्ग.मी.
	1	2	3	4		
11	धानसा	2966		0	19	85
	( जारी )	2934		0	08	55
		2967		0	12	55

फा. सं. आर. 31015/39/2001/ओ.आर. II]

हरीश कुमार, अवर सचिव

New Delhi, the 19th June, 2002

S. O. 2063.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3458, dated the 21<sup>st</sup> December, 2001, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of petroleum products from Crude Oil Terminal (COT) at Mundra Port in the State of Gujarat to Bathinda in the State of Punjab through Mundra-Bathinda Crude Oil pipeline by Guru Gobind Singh Refineries Limited (A subsidiary of Hindustan Petroleum Corporation Limited);

And whereas copies of the said Gazette notification were made available to the public on the 25<sup>th</sup> January, 2002;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of the declaration, in the Guru Gobind Singh Refineries Limited (A subsidiary of Hindustan Petroleum Corporation Limited) free from all encumbrances.

**SCHEDULE****Tehsil : Bhilmal****District : Jalore****State : Rajasthan**

Sr. No.	Name of Village	Survey No.	Part if Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
1	KOTRA	167		0	11	20
		118	Asphalted Road G.L. P.W.D.	0	05	90
		117	G.M. Gauchar G.L.	0	36	00
		112	Govt. Land Oran	0	03	00
		111	CT Kotra to Malwara G.L.	0	01	00
		94		0	05	08
		80		0	02	97
		83		0	06	54
		82		0	00	10
		84		0	05	28
		85		0	04	64
		88		0	03	27
		87		0	06	50
		86		0	02	65
		72		0	11	80
		47		0	06	54
		73		0	00	10
		45		0	01	12
		46		0	06	89
		33		0	34	01
		40		0	00	10
		36		0	17	98
		37		0	05	64
		13	Sukri River G.L.	0	21	10
		12		0	23	00
		5		0	31	80
		4		0	18	00
2	DHANPURA	60		0	11	04
		48		0	17	13
		50		0	01	20
		47		0	12	98
		42		0	14	15

Tehsil : Bhinmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part if Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
2	DHANPURA	39		0	20	86
	(Contd.)	19		0	16	45
		18		0	15	30
		17		0	17	37
		1		0	18	35
3	SAVIDHAR	245		0	15	30
		243	1722	0	06	71
		243		0	01	95
		244		0	12	03
		241		0	18	48
		221		0	09	86
		223		0	06	26
		219		0	01	35
		224		0	01	96
		225		0	13	71
		226		0	13	38
		229		0	00	42
		228		0	11	62
		232		0	06	09
		215		0	18	28
		211		0	00	42
		208		0	23	42
		205		0	00	33
		207		0	14	32
		180	1708 ; Cart track G.L.	0	01	80
		180	Govt. land (Canal) Nahar	0	04	70
		169		0	00	25
		168		0	11	85
		167		0	10	10
		166		0	05	15
		164		0	02	08
		165		0	09	08
		123		0	23	00
		120		0	00	80



Tehsil : Bhinmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part If Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
3	SAVIDHAR	121		0	10	96
	(Contd.)	122		0	12	60
		125		0	23	87
		115		0	13	77
		114		0	13	60
		113		0	14	79
		106		0	04	62
4	BHADARDA	663		0	03	64
		658		0	04	16
		662		0	27	96
		659		0	33	64
		655		0	00	50
		654		0	45	32
		660		0	03	00
		653		0	02	56
		610	Cart track G.L.	0	01	32
		563		0	45	18
		555		0	02	27
		567		0	23	63
		554		0	00	67
		539		0	28	53
		541		0	06	00
		540		0	17	48
		538		0	00	76
		537		0	02	00
		536		0	24	75
		521		0	02	40
		459		0	02	67
		460		0	15	43
		461		0	17	60
		463		0	24	43
		462		0	00	50
		464		0	01	47
		247		0	02	25
		246		0	38	20

Tehsil : Bhinmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part If Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
4	BHADARDA (Contd.)	466	Road G.L. P.W.D.	0	02	40
		60		0	01	28
		63		0	35	50
		67		0	07	90
		68		0	29	45
		71		0	12	90
		40		0	04	47
		39		0	14	79
		38		0	17	97
		37		0	00	08
		72	Metalled Road G.L. P.W.D.	0	02	40
		10		0	08	70
		11		0	13	55
		12		0	11	43
		13		0	10	86
		24	1074	0	01	39
		14		0	09	30
		15		0	21	60
		4		0	02	70
		2		0	30	00
5	GAJIPURA	194	Govt. land (Gauchar)	0	13	12
		193		0	07	10
		192		0	07	98
		190		0	05	44
		191		0	19	20
		183		0	15	50
		184		0	13	95
		185		0	11	53
		55		0	02	03
		52		0	24	65
		51		0	01	54
		25		0	00	24
		26		0	22	91
		27		0	23	57
		28		0	02	78

Tehsil : Bhinmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part if Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
5	GAJIPURA (Contd.)	19		0	00	33
		18		0	19	32
		69	Cart track G.L.	0	01	96
		141		0	09	20
		139		0	10	43
		138		0	00	90
		90		0	05	96
		91		0	09	88
		92		0	02	97
		88		0	00	04
		95		0	04	00
		94		0	10	30
		96		0	15	35
		97		0	01	38
		114		0	02	18
		113		0	02	88
		110		0	23	10
		109		0	09	04
		108		0	12	25
		156	Cart track G.L.	0	02	02
		486		0	00	14
		487		0	09	23
		491		0	15	64
		490		0	08	60
		492		0	14	73
		493		0	03	90
6	BHINMAL	6820		0	01	27
		6821		0	24	85
		6814		0	00	60
		6813		0	25	85
		6822		0	01	00
		6824	Govt. Land	0	00	01
		6812		0	03	60
		6841		0	05	93
		6842		0	22	75

Tehsil : Bhinmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part if Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
6	BHINMAL (Contd.)	6843	Govt. land	0	15	18
		6857		0	09	52
		6858		0	27	98
		6859		0	00	28
		6856		0	06	79
		6855		0	01	10
		6870	Cart track G.L.	0	02	17
		6877		0	02	55
		6879	Govt. land	0	10	40
		6000	Govt. land (Pacca Road) P.W.D.	0	06	44
		5999	Govt. land	0	00	58
		5998	Govt. land	0	11	00
		5979		0	08	40
		5967	7041; Govt. Land	0	07	64
		5967		0	03	96
		5968		0	47	14
		5968	7040 ; Govt. Land	0	01	56
		5969		0	34	98
		5970		0	00	62
		5973		0	09	80
		5971	Govt. Land	0	18	93
		5972	Govt. Land	0	00	27
		5956	Cart track G.L.	0	02	52
		5952	Govt. land	0	33	63
		5854	Govt. land (Kotra) River	0	08	28
		5852	Govt. land	0	11	10
		5853	Govt. land	0	04	32
		5587		0	31	20
		5587	6980 ; Govt. Land	0	17	17
		5588		0	04	00
		5586		0	05	40
		5590		0	07	40
		5591		0	16	75
		5594		0	14	90
		5598		0	09	55

Tehsil : Bhinmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part If Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
6	BHINMAL	5599		0	09	90
	(Contd.)	5558	Govt. land River	0	02	24
		5429		0	31	70
		5428		0	33	51
		5400		0	01	50
		5427	Govt. land	0	15	99
		5426	Govt. land	0	05	46
		5425	Govt. land	0	00	55
		5405		0	08	10
		5406		0	39	54
		5408		0	01	43
		5409		0	04	65
		5370		0	40	04
		5367		0	52	60
		5364	Cart track G.L.	0	01	03
		5304		0	28	20
		5305		0	14	63
		5339		0	02	78
		5306		0	23	78
		5307		0	07	83
		5308		0	31	11
		5311		0	07	30
		5181	Govt. land (SH- 31 Road) P.W.D.	0	05	60
		5100		0	03	24
		5098		0	16	95
		5099		0	13	20
		5092		0	62	94
		5090		0	10	86
		5088		0	05	81
		5087		0	09	36
		5082	G.M. Nala G.L.	0	03	40
		5079	G.L.	0	04	50
		5080		0	33	60
		5067	Khariwada River	0	13	09
		5058	Govt. Land	0	07	11

Tehsil : Bhinmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part If Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
6	BHINMAL	5057		0	14	51
	(Contd.)	5059	Govt. Land	0	00	12
		4994	Cart track G.L.	0	01	65
		4971		0	01	22
		4970	Cart track G.L.	0	01	60
		4969		0	18	71
		4967		0	04	65
		4966		0	26	51
		4960		0	12	80
		4852	Cart track G.L.	0	01	60
		4869		0	20	28
		4868		0	24	32
		4867		0	20	48
		4866		0	08	00
		4866	7023 Nada G.L.	0	15	30
		4779	Govt. land ( Railway)	0	04	18
		4778	Govt. land ( Railway)	0	03	90
		4692	Govt. land	0	06	40
		4693		0	31	98
		4707		0	34	91
		4683		0	24	30
		4684	Govt. land	0	09	01
		4681		0	08	10
		4680		0	29	16
		4679		0	37	44
		4678		0	09	04
		4721	Cart track G.L.	0	01	56
		1439		0	15	80
		1438		0	04	20
		1433		0	04	68
		1437		0	44	27
		1436		0	00	38
		1434		0	33	20
		1418		0	27	40

Tehsil : Bhinmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part if Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
6	BHINMAL	1419		0	24	57
	(Contd.)	1411		0	71	02
		1410		0	05	52
		1395		0	22	40
		1392		0	19	90
		1391	Cart Track G.L.	0	02	55
		1390		0	52	25
		1375		0	28	61
7	NARTA	1699		0	09	35
	KUSHLAPURA	1695		0	16	03
		1674		0	01	47
		1658		0	00	61
		1646		0	46	77
		1673		0	01	11
		1645		0	04	60
		1644		0	16	14
		1637		0	16	60
		1555		0	13	30
		1558		0	09	70
		1559		0	09	70
		1560		0	12	90
		1561		0	07	80
		1570		0	40	40
		1566	G.L. B I	0	06	40
		1569		0	01	00
		1596	Cart track G.L.	0	01	60
		1468		0	28	12
		1467		0	01	03
		1440		0	49	15
		1438		0	06	00
		1437		0	00	01
		1441		0	01	00
		1444		0	00	19
		1443		0	07	51
		1442	Cart track G.L.	0	01	50

Tehsil : Bhinmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part If Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
7	NARTA	1419		0	13	60
	KUSHLAPURA	1414		0	13	20
	(Contd.)	1415		0	36	10
		1404		0	36	40
		1402		0	01	78
		1401		0	01	32
		1403		0	01	22
		1338	River G.L.	0	20	05
8	CHAK	315		0	51	38
	CHANDAPAN	312		0	14	40
		242	Cart track G.L.	0	04	10
		189		0	06	65
		193		0	08	05
		194		0	06	30
		237		0	00	01
		238		0	12	80
		239		0	06	50
		240		0	07	15
		241		0	23	61
		235		0	03	84
		227		0	24	90
		228		0	02	22
		226		0	20	38
		221		0	20	35
		219		0	14	70
		218		0	18	90
		215		0	19	90
		213		0	06	35
		212		0	15	12
		211		0	20	88
		246		0	22	11
		247		0	06	52
		248		0	01	93
		249		0	32	96
		269		0	30	85



Tehsil : Bhinmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part if Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
8	CHAK -	265		0	28	97
	CHANDAPAN	264		0	00	09
	(Contd.)	253		0	23	88
		254		0	59	48
		105		0	00	37
9	KHANDADEWAL	325	River G.L.	0	15	10
		334	Nahar G.L.	0	01	20
		440		0	10	50
		439		0	25	50
		438		0	43	81
		441	Cart Track G.L.	0	12	80
		462		0	01	82
		456		0	14	35
		455		0	23	74
		434		0	01	00
		452		0	22	85
		451		0	14	70
		450		0	15	00
		444		0	18	40
		493		0	37	60
		494		0	20	30
		496		0	11	40
		497		0	29	40
		516		0	01	25
		521	Canal G.L.	0	01	00
		520		0	24	82
		548	Cart track G.L.	0	01	15
		794		0	06	29
		792		0	15	10
		791		0	00	86
		787		0	00	33
		790		0	04	63

Tehsil : Bhinmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part If Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
9	KHANDADEWAL	789		0	09	03
	(Contd.)	788		0	02	72
		772		0	04	80
		773		0	09	83
		768		0	30	98
		767		0	07	06
10	NASOLI	481	River G.L.	1	41	65
		481	1027	0	03	71
		481	1028	0	01	29
		457		0	00	43
		458		0	09	97
		459		0	16	48
		460		0	00	92
		462		0	15	80
		467		0	10	20
		466	Cart Track G.L.	0	02	00
		434		0	50	00
		433		0	00	01
		399	Bala G.L.	0	13	00
		395		0	01	48
		389		0	38	22
		387		0	02	90
		388		0	15	90
		372		0	01	80
		595		0	19	00
		594		0	05	70
		593		0	00	01
		596		0	19	90
		598		0	17	20
		601	Bera	0	00	01
		603		0	01	54
		602		0	05	68
		600		0	16	90
		604		0	00	01
		607	Cart Track G.L.	0	01	40

Tehsil : Bhinmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part If Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
10	NASOLI	611		0	04	14
	(Contd.)	609		0	39	96
		608		0	02	24
		729	Cart track G.L.	0	02	00
		732	Oran G.L.	0	00	01
		749		0	16	90
		750		0	09	00
		748		0	17	05
		747		0	32	10
		746	Cart track G.L.	0	01	60
		954	Oran G.L.	0	71	70
		971	Cart Track G.L.	0	02	00
		317	Oran G.L.	0	93	80
		284	Bhagar Septa Road G.L.	0	02	00
		283	Oran G.L.	0	76	59
		280		0	01	26
		186		0	22	22
		187		0	18	80
		185	Cart track G.L.	0	02	20
		148		0	02	18
		149		0	12	60
		155		0	33	80
		151		0	00	64
		154		0	17	42
		153		0	12	91
		160		0	12	55
		161		0	23	57
		162		0	16	62
		163		0	09	38
		164		0	04	30
		167		0	00	01
		140	Cart track G.L.	0	02	00
		115		0	02	68
		112		0	15	49
		111		0	17	55

Tehsil : Bhilmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part if Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
10	NASOLI (Contd.)	110		0	18	66
		109		0	00	74
		108		0	15	58
		107		0	08	95
		105		0	00	01
		106		0	29	50
		98		0	14	88
		97		0	06	40
		87	Cart Track G.L.	0	05	12
		22		0	03	26
11	DHANSA	1019		0	04	53
		1018		0	19	45
		1016		0	30	81
		1015		0	38	96
		1014		0	03	07
		1013		0	11	86
		1048		0	19	80
		1049		0	22	26
		1050		0	24	28
		1051		0	30	83
		1052		0	22	80
		1053		0	00	01
		1007	Cart Track G.L.	0	04	50
		604		0	19	40
		605		0	17	25
		606		0	18	85
		607		0	17	40
		608		0	21	20
		642		0	25	85
		643		0	15	51
		644		0	15	59
		645		0	15	33
		646		0	00	64
		650		0	20	94
		651		0	39	04

Tehsil : Bhinmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part if Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
11	DHANSA	655		0	18	87
	(Contd.)	654		0	08	63
		656		0	00	33
		656	3924	0	12	20
		667	Cart Track G.L.	0	01	00
		677		0	09	30
		678		0	20	09
		682		0	26	60
		683		0	20	96
		684		0	18	00
		688		0	30	65
		695		0	17	25
		696		0	16	65
		699		0	13	50
		698		0	18	77
		713		0	41	90
		714	3658	0	22	30
		715		0	00	01
		718	Cart Track G.L.	0	01	20
		348		0	16	65
		347		0	24	40
		719		0	01	42
		346		0	29	70
		327		0	04	32
		720		0	22	23
		324		0	08	67
		323		0	17	68
		309		0	25	13
		308		0	02	88
		724		0	03	01
		725		0	25	20
		726		0	35	70
		747		0	31	70
		748		0	56	50
		750		0	29	95

Tehsil : Bhinmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part if Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
11	DHANSA	752		0	10	59
	(Contd.)	751		0	01	94
		753		0	40	70
		783		0	24	20
		784		0	22	80
		787		0	16	83
		788		0	13	00
		791		0	29	18
		275	Cart Track G.L.	0	06	96
		88		0	08	26
		792		0	02	47
		89		0	25	00
		98	Cart Track G.L.	0	01	00
		99		0	14	20
		101		0	14	60
		197		0	33	93
		195		0	00	60
		196		0	00	40
		192		0	17	90
		191		0	14	45
		183		0	51	40
		180		0	00	37
		174		0	26	73
		173		0	67	00
		266	Cart Track G.L.	0	00	01
		156	Cart Track G.L.	0	00	60
		152		0	76	50
		267	G.L. B I	0	35	00
		267	4051	0	26	50
		2117	Asphalted Road G.L. P.W.D.	0	01	60
		2180		0	00	01
		2181		0	44	40
		2179	4050	0	31	13

Tehsil : Bhinmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part If Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
11	DHANSA	2210	Cart Track G.L.	0	01	40.
	(Contd.)	2234	4008 ; G.L. B I	0	01	80
		2234		0	13	70
		2235		0	16	15
		2238		0	12	98
		2239		0	17	41
		2239	4010 ; G.L. B I	0	00	84
		2227	G.L. B I	0	17	70
		2258	Cart Track G.L.	0	01	00
		2360		0	03	80
		2361		0	30	42
		2362		0	32	30
		2358		0	42	00
		2359		0	00	80
		2320	G.L. B I	0	52	30
		2331	G.L. B I	0	24	00
		2317	Cart Track G.L.	0	00	90
		2261	G.L. Padat	0	07	10
		2264		0	25	90
		2268	3682 ; G.L. B I	0	23	60
		2268		0	44	90
		2271	Cart Track G.L.	0	01	00
		2273	G.L. B I	0	10	70
		2276		0	28	50
		2455	3808	0	25	50
		2455	3807 ; G.L. G.M.	0	66	00
		2455	River G.L.	1	94	60
		2455	3809	0	00	01
		2455	3787	0	00	37
		2898	3789	0	01	31
		2899		0	22	54
		2897		0	28	72
		2894	G.L. B II	0	05	28
		2895		0	19	22
		2885		0	69	76

Tehsil : Bhinmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part If Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
11	DHANSA	2877	3772 ; G.L. Chahi III	0	02	50
	(Contd.)	2877		0	40	00
		2876		0	22	00
		2878		0	13	88
		2878	3731; Nadi G.L.	0	01	12
		2869		0	31	77
		2868		0	05	43
		2906	Cart Track G.L.	0	03	50
		3160		0	01	42
		2867		0	04	65
		3159		0	26	10
		3149		0	72	68
		3148		0	02	14
		3152		0	03	99
		3146		0	22	40
		3145		0	23	40
		3140	1	0	30	70
		3140	3949	0	03	20
		3131		0	28	60
		3134		0	25	20
		3062	Nada G.L.	0	00	01
		3063		0	00	01
		3064		0	57	60
		3057		0	31	30
		3055		0	02	00
		3056		0	31	35
		3005		0	32	50
		3006		0	20	50
		2986		0	33	50
		2985		0	45	50
		2960		0	06	90
		2965		0	12	20
		2963		0	02	08
		2964		0	12	72
		2966	3886	0	02	70



Tehsil : Bhilmal

District : Jalore

State : Rajasthan

Sr. No.	Name of Village	Survey No.	Part If Any	ROU - Area		
				Hect.	Are.	Sq.mt.
	1	2	3	4		
11	DHANSA	2966		0	19	85
	(Contd.)	2934		0	08	55
		2967		0	12	55

[F. No. R-31015/39/2001 OR-II]  
HARISH KUMAR, Under Secy.

नई दिल्ली, 19 जून, 2002

का. आ. 2064.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में मुन्द्रा पत्तन स्थित अपरिष्कृत तेल संस्थापन (सी.ओ.टी.) से पंजाब राज्य में भटिंडा तक मुन्द्रा-भटिंडा पाइपलाइन के माध्यम से अपरिष्कृत तेल के परिवहन के लिए एक पाइपलाइन गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड (हिन्दुस्तान पेट्रोलियम कॉरपोरेशन लिमिटेड की समनुषंगी) द्वारा बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में जिसके भीतर उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार को अर्जित करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से, जिसको भारत के राजपत्र में यथाप्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, उसमें उपयोग के अधिकार के अर्जन या भूमि के भीतर पाइपलाइन बिछाने के संबंध में श्री डी० के० पारिख, सक्षम प्राधिकारी, मुन्द्रा-भटिंडा अपरिष्कृत तेल पाइपलाइन, गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड (हिन्दुस्तान पेट्रोलियम कॉरपोरेशन लिमिटेड की समनुषंगी) डा.घ. नं० 43-क, यूनिट-2, एच.पी.सी.एल., मु. पो. खारी रोहर, गाँधीधाम, गुजरात राज्य को लिखित रूप में आक्षेप भेज सकेगा ।

## अनुसूची

तालुका- राधनपुर

जिला :- पाटण

राज्य :- गुजरात

गौव का नाम	(खसरा) सर्वेक्षण क्रमांक	हिस्सा क्रमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(1) सांथली	—	कर्ट ट्रैक	0	79	01
	64		0	26	31
	59		0	00	73
	60	पेक्की	0	02	04
	63		0	07	37
	62		0	01	32
	61		0	30	40
	—	कर्ट ट्रैक	0	08	47
	33	पेक्की	0	29	37
	32		0	28	22
	31		0	29	82
	30	पेक्की	0	48	03
	29		0	16	21
	28		0	39	16
	27		0	35	94
	36/1	पेक्की	0	02	53
	26		0	29	35
	25		0	50	73
	24		0	00	33
	11		0	39	85
	12	पेक्की	0	45	26
	12	पेक्की	0	00	55
	6/1	पेक्की	0	00	55
	6/1	पेक्की	0	20	09
(2) रंगपुरा	54		0	26	44
	52		0	26	53
	51		0	29	92
	50	पेक्की	0	45	35
	46	पेक्की	0	52	80
	29		0	75	03
	—	कर्ट ट्रैक	0	04	63
	28	पेक्की	0	54	95
	28	पेक्की	0	01	10

तालुका- राधनपुर

जिला :- पाटण

राज्य :- गुजरात

गौव का नाम	(खसरा) सर्वेक्षण क्रमांक	हिस्सा क्रमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(2) रंगपुरा (जारी)	—	कार्ट ट्रैक	0	03	03
	27		0	04	79
(3) लिम्बडका	14/1	पैकी	2	69	63
	14/1	पैकी	0	01	10
	14/2		0	40	89
	14/4		0	26	28
	30	पैकी	0	14	15
	30	पैकी	0	00	75
	29		0	34	62
	28		0	00	94
	4/1	पैकी	1	16	43
(4) भीलोड	327		0	25	50
	328	पैकी	0	37	38
	329		0	42	27
	330	पैकी	0	18	70
	330	पैकी	0	01	10
	331	पैकी	0	15	99
	331	पैकी	0	01	10
	332		0	15	03
	333	पैकी	0	46	18
	333	पैकी	0	01	10
	334		0	24	11
	335		0	47	95
	336		0	13	33
	337		0	22	85
	342		0	29	73
	339		0	00	66
	341		0	43	73
(5) जावत्री	284	पैकी	0	15	71
	282		0	14	19
	283		0	01	38
	281		0	19	59
	—	कार्ट ट्रैक	0	05	99
	240	पैकी	0	50	91
	240	पैकी	0	01	10

तालुका- राधनपुर

जिला :- पाटण

राज्य :- गुजरात

गौव का नाम	(खसरा) सर्वेक्षण क्रमांक	हिस्सा क्रमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(8) जावत्री (जारी)	241	पेक्की	0	22	40
	242	पेक्की	0	02	53
	243	पेक्की	0	63	44
	243	पेक्की कर्त ट्रैक	0	00	55
	261	पेक्की कर्त ट्रैक	0	00	55
	261	पेक्की	0	37	97
	262		0	42	44
	258	पेक्की	0	01	06
	263	पेक्की	0	45	93
	256	पेक्की	0	24	74
	255/2	पेक्की	0	24	51
	255/1		0	33	50
	—	कर्त ट्रैक	0	11	44
	295/1		0	01	61
	296		0	32	92
	297		0	28	63
	349/3		0	10	51
	302		0	31	17
	304		0	21	82
	305	पेक्की	0	19	23
	305	पेक्की कर्त ट्रैक	0	01	10
	306		0	20	01
	348/2		0	27	11
	348/1		0	04	64
	327/1		0	21	32
	326		0	26	06
	325	पेक्की	0	50	64
	324	पेक्की	0	03	43
	316		0	26	35
	310	पेक्की	0	35	75
	314		0	04	63
	313/1	पेक्की	0	34	77
	312	पेक्की	0	13	90
	312	पेक्की कर्त ट्रैक	0	1	10
(8) मगदाबाद	455		0	30	71

तालुका- राघनपुर

जिला :- पाटण

राज्य :- गुजरात

गौव का नाम	(खसरा) सर्वेक्षण क्रमांक	हिस्सा क्रमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(6) मेमदाबाद (जारी)	454		0	33	03
	457		0	10	34
	—	कार्ट ट्रैक	0	07	13
	459		0	61	05
	—	कार्ट ट्रैक	0	01	88
(7) घलवाडा	28		0	62	79
	31		0	17	07
	29		0	13	50
	35		0	19	56
	34		0	31	97
	37		0	02	18
	33		0	08	88
	40		0	21	34
	41		0	17	78
	43/1	पेक्की	0	56	66
	—	कार्ट ट्रैक	0	11	48
	71	पेक्की	0	55	72
	101	पेक्की	0	37	86
	102/1	पेक्की	0	23	51
	112/4		0	36	75
	103/2		0	39	87
	103/1		0	34	41
	105	पेक्की	0	14	03
	105	पेक्की	0	01	10
	111/1	पेक्की	0	08	97
	110		0	23	00
	106		0	31	82
	128/1	पेक्की	0	21	43
	—	कार्ट ट्रैक	0	02	40
	141	पेक्की	0	21	76
	142		0	60	71
	145/1		0	08	85
	145/2		0	20	57
	151		0	30	78
	146		0	21	74

तालुक- राधनपुर

जिला :- पाटण

राज्य :- गुजरात

गौय का नाम	(खसरा) सर्वेक्षण क्रमांक	हिस्सा क्रमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(7) चलवाडा (जारी)	150		0	08	01
	149	पैक्री	0	54	36
	148	पैक्री	0	46	58
	154		0	32	82
	—	कर्ट ट्रैक	0	03	56
	188		0	00	89
(8) बघवड	229	पैक्री	0	15	88
	231/1	पैक्री	0	66	42
	232	पैक्री	0	34	73
	—	कर्ट ट्रैक	0	04	81
	239	पैक्री	0	02	75
	234	पैक्री	0	87	18
	246		0	02	43
	247	पैक्री	0	33	53
	248	पैक्री	0	29	07
	248	पैक्री	0	01	10
	251	पैक्री	0	30	58
	250		0	02	48
	—	कर्ट ट्रैक	0	12	16
	13	पैक्री	0	21	36
	15		0	43	51
	16		0	41	17
(9) देव	149		0	20	35
	148	पैक्री	0	58	74
	—	कर्ट ट्रैक	0	04	42
	142		0	18	50
	143	पैक्री	0	75	37
	144	पैक्री	0	03	05
	138	पैक्री	0	16	93
	138	पैक्री	0	01	10
	129		0	20	53
	128/2	पैक्री	0	00	74
	128/1	पैक्री	0	00	36
	128/2	पैक्री	0	04	75
	128/1	पैक्री	0	36	51

तहसील- राधनपुर

जिला :- पाटण

राज्य :- गुजरात

गौव का नाम	(खसरा) सर्वेक्षण क्रमांक	हिस्ता क्रमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(9) देव (जारी)	126	पेकी	0	24	67
	124		0	28	33
	123		0	13	01
	125	पेकी	0	10	78
	98		0	16	38
	96		0	04	28
	94		0	36	04
	95		0	01	89
	93		0	14	80
	92		0	24	20
	91		0	24	63
	59	पेकी	0	68	76
	59	पेकी	0	01	10
	62		0	24	61
	63		0	09	25
	64		0	21	00
	65		0	18	23
	66		0	28	24
	67		0	19	02
	77	पेकी	0	42	55
	71		0	23	51
	76	पेकी	0	66	42
	75		0	02	05
	74		0	37	40
(10) सुलतानपुरा	125/1		0	21	21
	125/2		0	20	34
	125/3		0	20	61
	—		0	04	40
	160	पेकी	0	34	28
	157/2		0	26	64
	158/2	पेकी	0	01	76
	158/1		0	71	08
	156		0	02	69
	—	कार्ट ट्रैक	0	03	64

तालुका:- राधनपुर

जिला :- पाटण

राज्य :- गुजरात

गौव का नाम	(खसरा) सर्वेक्षण कमांक	हिस्सा कमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(11) सुबापुरा	188		0	08	67
	10		0	35	95
	187/1	पैकी	0	06	23
	187/1	पैकी कर्त ट्रैक	0	01	10
	188	पैकी	0	04	61
	188	पैकी कर्त ट्रैक	0	01	10
	189	पैकी	0	17	74
	189	पैकी कर्त ट्रैक	0	01	10
	11	पैकी	0	12	67
	190	पैकी	0	09	60
	190	पैकी कर्त ट्रैक	0	01	10
	12/1	पैकी	0	48	28
	44	पैकी	0	28	69
	44	पैकी कर्त ट्रैक	0	01	10
	195		0	02	18
	196/1	पैकी	0	09	21
	197	पैकी	0	18	61
	197	पैकी कर्त ट्रैक	0	01	10
	45	पैकी	0	03	19
	45	पैकी कर्त ट्रैक	0	01	10
	204		0	17	37
	205	पैकी	0	17	11
	205	पैकी कर्त ट्रैक	0	01	10
	—	कर्त ट्रैक	0	01	64
	206/1		0	15	22
	209		0	18	08
	210		0	20	22
	51/1		0	33	79
	51/2		0	33	47
	214		0	15	41
	—	कर्त ट्रैक	0	04	61
	219		0	03	61
	218	पैकी	0	32	95
	215	पैकी	0	38	02



तालुका- राधनपुर

जिला :- पाटण

राज्य :- गुजरात

गौव का नाम	(खसरा) सर्वेक्षण क्रमांक	हिस्सा क्रमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(11) मुन्नापुरा (जारी)	216	पेक्री	0	41	48
	217	पेक्री	0	57	50

फा. सं. आर. 31015/8/2002/ओ.आर. II]

हरीश कुमार, उपर सचिव

New Delhi, the 19th June, 2002

S. O. 2064.—Whereas it appears to the Central Government that it is necessary in the public interest, that for the transportation of crude oil from crude oil terminal (COT) at Mundra Port in the State of Gujarat to Bathinda in the State of Punjab through Mundra - Bathinda pipeline, a pipeline should be laid by Guru Gobind Singh Refineries Limited (A subsidiary of Hindustan Petroleum Corporation Limited);

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user (ROU) in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying pipeline under the land to Shri D.K.PAREKH, Competent Authority, Mundra-Bathinda Crude Oil Pipeline, Guru Gobind Singh Refineries Limited (A subsidiary of Hindustan Petroleum Corporation Limited), P.B.No.43, Unit 2, HPCL, At & PO Khari Rohar, Gandhidham, State Gujarat.

## SCHEDULE

Taluka :- Radhanpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part If Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
(1) SANTHALI	—	Cart Track	0	79	01
	64		0	26	31
	59		0	00	73
	60	P	0	02	04
	63		0	07	37
	62		0	01	32
	61		0	30	40
	—	Cart Track	0	08	47
	33	P	0	29	37
	32		0	28	22
	31		0	29	82
	30	P	0	48	03
	29		0	16	21
	28		0	39	16
	27		0	35	94
	38/1	P	0	02	53
	26		0	29	35
	25		0	50	73
	24		0	00	33
	11		0	39	85
	12	P	0	45	26
	12	P	0	00	55
	6/1	P	0	00	55
	8/1	P	0	20	09
(2) RANGPURA	54		0	26	44
	52		0	26	53
	51		0	29	92
	50	P	0	45	35
	46	P	0	52	80
	29		0	75	03
	—	Cart Track	0	04	63
	28	P	0	54	95
	28	P	0	01	10

Taluka :- Radhanpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part If Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
(2) RANGPURA (Contd.)	—	Cart Track	0	03	03
	27		0	04	79
(3) LIMBADKA	14/1	P	2	69	63
	14/1	P Cart Track	0	01	10
	14/2		0	40	89
	14/4		0	26	28
	30	P	0	14	15
	30	P Cart Track	0	00	75
	29		0	34	62
	28		0	00	94
	4/1	P	1	16	43
(4) BHILOT	327		0	25	50
	328	P	0	37	38
	329		0	42	27
	330	P	0	18	70
	330	P Cart Track	0	01	10
	331	P	0	15	99
	331	P Cart Track	0	01	10
	332		0	15	03
	333	P	0	46	18
	333	P Cart Track	0	01	10
	334		0	24	11
	335		0	47	95
	336		0	13	33
	337		0	22	85
	342		0	29	73
	339		0	00	66
	341		0	43	73
(5) JAWANTRI	284	P	0	15	71
	282		0	14	19
	283		0	01	38
	281		0	19	59
	—	Cart Track	0	05	99
	240	P	0	50	91
	240	P Cart Track	0	01	10

Taluka :- Radhanpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
(5) JAWANTRI (Contd.)	241	P	0	22	40
	242	P	0	02	53
	243	P	0	63	44
	243	P Cart Track	0	00	55
	261	P Cart Track	0	00	55
	231	P	0	37	97
	262		0	42	44
	258	P	0	01	06
	263	P	0	45	93
	256	P	0	24	74
	255/2	P	0	24	51
	255/1		0	33	50
	—	Cart Track	0	11	44
	295/1		0	01	61
	296		0	32	92
	297		0	28	63
	349/3		0	10	51
	302		0	31	17
	304		0	21	82
	305	P	0	19	23
	305	P Cart Track	0	01	10
	306		0	20	01
	348/2		0	27	11
	348/1		0	04	64
	327/1		0	21	32
	326		0	26	06
	325	P	0	50	64
	324	P	0	03	43
	316		0	26	35
	310	P	0	35	75
	314		0	04	63
	313/1	P	0	34	77
	312	P	0	13	90
	312	P Cart Track	0	1	10
(6) MEHMEDABAD	455		0	30	71

Taluka :- Radhanpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
(6) MEHMEDABAD (Contd.)	454		0	33	03
	457		0	10	34
	—	Cart Track	0	07	13
	459		0	61	05
	—	Cart Track	0	01	88
(7) CHALWADA	28		0	62	79
	31		0	17	07
	29		0	13	50
	35		0	19	56
	34		0	31	97
	37		0	02	18
	33		0	08	88
	40		0	21	34
	41		0	17	78
	43/1	P	0	56	66
	—	Cart Track	0	11	48
	71	P	0	55	72
	101	P	0	37	86
	102/1	P	0	23	51
	112/4		0	36	75
	103/2		0	39	87
	103/1		0	34	41
	105	P	0	14	03
	105	P	0	01	10
	111/1	P	0	08	97
	110		0	23	00
	106		0	31	82
	128/1	P	0	21	43
	—	Cart Track	0	02	40
	141	P	0	21	76
	142		0	60	71
	145/1		0	08	85
	145/2		0	20	57
	151		0	30	78
	146		0	21	74

Taluka :- Radhanpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt
1	2	3	4		
(7) CHALWADA (Contd.)	150		0	08	01
	149	P	0	54	36
	148	P	0	46	58
	154		0	32	82
	—	Cart Track	0	03	56
	188		0	00	89
(8) BANDHWAD	229	P	0	15	88
	231/1	P	0	66	42
	232	P	0	34	73
	—	Cart Track	0	04	81
	239	P	0	02	75
	234	P	0	87	18
	246		0	02	43
	247	P	0	33	53
	248	P	0	29	07
	248	P	0	01	10
	251	P	0	30	58
	250		0	02	48
	—	Cart Track	0	12	16
	13	P	0	21	36
	15		0	43	51
	16		0	41	17
(9) DEV	149		0	20	35
	148	P	0	58	74
	—	Cart Track	0	04	42
	142		0	18	50
	143	P	0	75	37
	144	P	0	03	05
	138	P	0	16	93
	138	P	0	01	10
	129		0	20	53
	128/2	P	0	00	74
	128/1	P	0	00	36
	128/2	P	0	04	75
	128/1	P	0	36	51

Taluka :- Radhanpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
(9) DEV (Contd.)	126	P	0	24	67
	124		0	28	33
	123		0	13	01
	125	P	0	10	78
	98		0	16	38
	96		0	04	28
	94		0	36	04
	95		0	01	89
	93		0	14	80
	92		0	24	20
	91		0	24	63
	59	P	0	68	76
	59	P Cart Track	0	01	10
	62		0	24	61
	63		0	09	25
	64		0	21	00
	65		0	18	23
	66		0	28	24
	67		0	19	02
	77	P	0	42	55
	71		0	23	51
	76	P	0	66	42
	75		0	02	05
	74		0	37	40
(10) SULTANPURA	125/1		0	21	21
	125/2		0	20	34
	125/3		0	20	61
	---	Cart Track	0	04	40
	160	P	0	34	28
	157/2		0	26	64
	158/2	P	0	01	76
	158/1		0	71	08
	156		0	02	69
	---	Cart Track	0	03	64

Taluka :- Radhanpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
(11) SUBAPURA	186		0	08	67
	10		0	35	95
	187/1	P	0	06	23
	187/1	P Cart Track	0	01	10
	188	P	0	04	61
	188	P Cart Track	0	01	10
	189	P	0	17	74
	189	P Cart Track	0	01	10
	11	P	0	12	67
	190	P	0	09	60
	190	P Cart Track	0	01	10
	12/1	P	0	48	28
	44	P	0	28	69
	44	P Cart Track	0	01	10
	195		0	02	18
	196/1	P	0	09	21
	197	P	0	18	61
	197	P Cart Track	0	01	10
	45	P	0	03	19
	45	P Cart Track	0	01	10
	204		0	17	37
	205	P	0	17	11
	205	P Cart Track	0	01	10
	—	Cart Track	0	01	64
	206/1		0	15	22
	209		0	18	08
	210		0	20	22
	51/1		0	33	79
	51/2		0	33	47
	214		0	15	41
	—	Cart Track	0	04	61
	219		0	03	61
	218	P	0	32	95
	215	P	0	38	02



Taluka :- Radhanpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
(11) SUBAPURA (Contd.)	216	P	0	41	48
	217	P	0	57	50

[F. No. R-31015/8/2002 OR-II.]  
HARISH KUMAR, Under Secy.

नई दिल्ली, 19 जून, 2002

का. आ. 2065.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 77 तारीख 09 जनवरी, 2002 द्वारा गुजरात राज्य में जामनगर से जामनगर-भोपाल पाइपलाइन परियोजना के माध्यम से मध्यप्रदेश राज्य में भोपाल तक द्रवित प्राकृतिक गैस के परिवहन के लिए गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उक्त अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी ;

और, उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 31 जनवरी, 2002, 1,2 और 27 फरवरी, 2002 और 11, 12 और 28 मार्च, 2002 को उपलब्ध करा दी गई थीं ;

और, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि पाइपलाइन बिछाई जाने के लिए उक्त भूमि अपेक्षित है और इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः, अब केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग का अधिकार अर्जित किया जाता है ;

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि के उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड में निहित होगा।

## अनुसूची

तहसील: देवास	जिला: देवास	राज्य: मध्य प्रदेश	क्षेत्रफल	
गाँव का नाम	सर्वे नंबर	हेक्टर	आरे	सि-आरे
1	2	3	4	5
1. गुराड़िया भील	801	0	09	10
प.ह.नं.32	802	0	33	80
	803/2	0	32	70
	803/3	0	03	50
2. बड़ी घुरलाई	469	0	17	70
प.ह.नं. 37	466	0	17	60
	465	0	02	60
	464	0	56	80
	448	0	10	00
	449	0	25	10
	439	0	12	30
	467	0	09	60
	468	0	04	50
	460	0	09	70
	666	0	46	70
	553	0	08	60
	547	0	17	10
	663	0	89	30
	664	0	01	20
	685	0	17	70
	544	0	18	90
	549	0	12	00
	539	0	04	30
	537	0	00	40
	548	0	04	70
	536	0	19	30
	538	0	00	30
	486	0	26	60
	477	0	04	30
	475	0	14	90
	483	0	08	40
	484	0	03	50
	476	0	13	30
	736	0	11	90

1	2	3	4	5
बड़ी चुरलाई (निरंतरद्ध)	737	0	39	50
	747	0	20	10
	749	0	37	30
	593	0	16	90
	594	0	31	10
	592	0	00	80
	740	0	02	30
	741	0	33	80
	750	0	03	30
	751	0	02	30
	687	0	47	80
	686	0	08	00
	684	0	30	00
	461	0	01	80
	534	0	10	30
	485	0	12	20
	743	0	05	31
	474/1	0	04	70
	474/2	0	04	70
3. माटखेड़ी	289	0	14	20
प.ह.नं. 38	290	0	00	10
	288/401	0	21	10
	310	0	24	60
	311	0	21	00
	312	0	06	30
	313	0	14	70
	252	0	00	60
	255	0	55	00
	256	0	14	20
	259	0	00	70
	266	0	33	50
	267	0	04	60
	292/1	0	16	30
	292/2	0	95	10
4. गोदल्या	32	0	61	50
प.ह.नं. 31	33	0	59	50
	34	0	50	30
	37	0	36	50
	38	0	00	10
	40	0	10	00

1	2	3	4	5
गोदल्या (निरंतरद्व)	41	0	24	60
5. खोकरिया	1069	0	31	30
प.ह.नं. 36	1071	0	01	80
	1072	0	20	80
	1070	0	42	10
	1117	0	10	00
	1114	0	70	90
	1113	0	07	60
	964	0	79	70
	1052	0	58	00
	1053	0	31	80
	1063	0	37	30
	1064	0	38	30
	966	0	18	40
	970	0	14	20
	971	0	00	70
	1003	0	44	70
	1004	0	14	20
	1017	0	02	10
	996	0	72	30
	997	0	18	00
	993	0	03	50
6. मलेडिया	315/325	0	29	90
प.ह.नं. 37	296	0	18	80
	297	0	15	90
	303	0	14	90
	306	0	32	70
	308	0	22	00
	316	0	21	30
	301	0	15	90
	304	0	04	10
	309	0	07	00
7. निवान्या	416	0	29	50
प.ह.नं. 30	514	0	14	10
	521	0	08	30
	522	0	17	70
	523	0	06	40
	524	0	20	50
	525	0	22	00

क्र.	1	2	3	4	5
निवान्या (निरंतरद्ध)		526	0	25	10
		527	0	01	70
		530	0	00	40
		531	0	00	20
		532	0	37	60
		533	0	25	40
		541	0	03	80
		549	0	00	03
		590	0	05	30
		591	0	05	70
		600	0	46	90
		478/3	0	17	10
		478/1	0	26	30
		528/1	0	16	30
		528/2	0	00	10
		594/1	0	09	60
		594/2	0	09	40
8. बांगरदा		32	0	33	30
प.ह.नं. 31		33	0	05	60
		46	0	29	70
		47	0	15	00
		48	0	02	70
		65	0	02	90
		66	0	02	90
		67	0	12	80
		68	0	11	10
		69	0	11	70
		72	0	15	00
		73	0	15	20
		74	0	06	50
		75	0	01	20
		78	0	00	01
		79	0	21	60
		80	0	21	60
		81/1	0	08	20
		163	0	10	90
		164	0	06	70
		188	0	15	80
		189	0	18	50
		206	0	36	70

1	2	3	4	5
बांगरदा (निरंतरद्ध)	207	0	00	10
	208	0	24	10
	254	0	16	60
	255	0	00	20
	256	0	11	60
	257	0	07	60
	258	0	03	40
	259	0	18	90
	262	0	01	40
	263	0	17	00
	264	0	00	30
	527	0	04	50
	528	0	24	30
	530	0	15	40
	538	0	01	40
	539	0	02	70
	540	0	00	01
	541	0	30	90
	542	0	51	50
	543	0	09	80
	558	0	18	30
	64	0	00	57
9. हापाखेड़ा	110	0	18	90
प.ह.नं. 39	109	0	09	30
	98	0	16	30
	99	0	19	70
	108	0	01	40
	100	0	22	40
	87	0	27	70
	84	0	12	40
	78	0	26	50
	83	0	01	70
	79	0	01	80
	77	0	12	20
	76	0	00	70
	75	0	01	10
	74	0	02	70
	55	0	41	80
	305	0	21	40
	312	0	45	40

1	2	3	4	5
हापाखेड़ा (निरंतरद्ध)	302	0	09	80
	301	0	08	40
	300	0	07	20
	314	0	03	60
	315	0	04	40
	317	0	00	10
	318	0	31	10
	298	0	23	60
	320	0	05	60
	476	0	40	00
	471	0	09	40
	303	0	05	00
10. भीमाखेड़ी	208	0	00	40
प.ह.नं. 31	209	0	23	70
	230	0	32	40
	231	1	02	80
	244	0	81	00
	247	0	50	20
11. सुल्फाखेड़ी	262	0	12	00
प.ह.नं. 38	263	0	18	20
	264	0	19	20
	293	0	15	00
	294	0	18	60
	295	0	32	50
	296	0	02	70
	299	0	20	10
	292/3	0	04	80
	297/1	0	03	40
	297/2	0	08	10
	297/3	0	07	30
	298/1	0	04	50
	298/2	0	02	40
12. गांगरदी खेड़ा	41	0	02	40
प.ह.नं. 30	42	0	53	50
	45	0	02	20
	154	0	17	00
	156	0	40	60
	35	0	30	90
	36	0	16	80

1	2	3	4	5
गांगरदी खेड़ा (निरंतरद्ध)	38	0	29	30
	39	0	16	40
	40	0	10	60
	20	0	22	10
	23	0	11	30
	22	0	14	80
	24	0	02	20
	3	0	31	30
	7	0	16	60
	11	0	12	60
	19	0	22	10
	155	0	09	60
	159	0	32	60
	27	0	00	10

[फा. सं. एल. 14014/28/2001-जी.पी.]

स्वामी सिंह, निदेशक

New Delhi, the 19th June, 2002

S. O. 2065.— Whereas, by a notification of the Government of India in the Ministry of Petroleum and Natural Gas. S.O 77 dated 9<sup>th</sup> January, 2002, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of regassified liquefied natural gas through the Jamnagar – Bhopal Pipeline Project from Jamnagar in the State of Gujarat to Bhopal in the State of Madhya Pradesh by Gas Transportation and Infrastructure Company Limited;

And whereas copies of the said Gazette notification were made available to the public on 31<sup>st</sup> day of January, 2002 and 1<sup>st</sup>, 2<sup>nd</sup>, 27<sup>th</sup> and 28<sup>th</sup> day of February, 2002 and 11<sup>th</sup>, 12<sup>th</sup> and 16<sup>th</sup> day of March, 2002.

And, whereas, the Competent Authority has under sub-section (1) of section 6 of said Act, submitted report to the Central Government;

And further, whereas, the Central Government has, after considering the said report, and on being satisfied that the said land is required for laying the Pipeline and has decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the Schedule appended to this notification is hereby acquired, for laying the pipeline:

And, further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government directs that the right of user in the said land shall instead of vesting in the Central Government, vest on this date of publication of this declaration, in Gas Transportation and Infrastructure Company Limited, free from all encumbrances.



**SCHEDULE**

Tehsil: Dewas		District: Dewas		State: Madhya Pradesh	
Name of the Village		AREA			
1	2	3	4	5	
1. GURADIYA BHILL P.C.NO- 32	801	0	09	10	
	802	0	33	80	
	803/2	0	32	70	
	803/3	0	03	50	
2. BADI CHURLAI P.C.NO-37	469	0	17	70	
	466	0	17	60	
	465	0	02	60	
	464	0	56	80	
	448	0	10	00	
	449	0	25	10	
	439	0	12	30	
	467	0	09	60	
	468	0	04	50	
	460	0	09	70	
	666	0	46	70	
	553	0	08	60	
	547	0	17	10	
	663	0	89	30	
	664	0	01	20	
	685	0	17	70	
	544	0	18	90	
	549	0	12	00	
	539	0	04	30	
	537	0	00	40	
	548	0	04	70	
	536	0	19	30	
	538	0	00	30	
	486	0	26	60	
	477	0	04	30	
	475	0	14	90	
	483	0	08	40	
	484	0	03	50	
	476	0	13	30	
	736	0	11	90	
	737	0	39	50	
	747	0	20	10	

1	2	3	4	5
<b>3ADI CHURLAI (Cont'd)</b>	749	0	37	30
	593	0	16	90
	594	0	31	10
	592	0	00	80
	740	0	02	30
	741	0	33	80
	750	0	03	30
	751	0	02	30
	687	0	47	80
	686	0	08	00
	684	0	30	00
	461	0	01	80
	534	0	10	30
	485	0	12	20
	743	0	05	31
	474/1	0	04	70
	474/2	0	04	70
<b>3. BHATKHEDI</b>	289	0	14	20
<b>P.C.NO- 38</b>	290	0	00	10
	288/401	0	21	10
	310	0	24	60
	311	0	21	00
	312	0	06	30
	313	0	14	70
	252	0	00	60
	255	0	55	00
	256	0	14	20
	259	0	00	70
	266	0	33	50
	267	0	04	60
	292/1	0	16	30
	292/2	0	95	10
<b>4. GODLIYA</b>	32	0	61	50
<b>P.C.NO- 31</b>	33	0	59	50
	34	0	50	30
	37	0	36	50
	38	0	00	10
	40	0	10	00
	41	0	24	60

1	2	3	4	5
<b>5. KHOKARIYA</b>	1069	0	31	30
<b>P.C.NO- 36</b>	1071	0	01	80
	1072	0	20	80
	1070	0	42	10
	1117	0	10	00
	1114	0	70	90
	1113	0	07	60
	964	0	79	70
	1052	0	58	00
	1053	0	31	80
	1063	0	37	30
	1064	0	38	30
	966	0	18	40
	970	0	14	20
	971	0	00	70
	1003	0	44	70
	1004	0	14	20
	1017	0	02	10
	996	0	72	30
	997	0	18	00
	998	0	03	50
<b>6. MALEDIA</b>	315/325	0	29	90
<b>P.C.NO-37</b>	296	0	18	80
	297	0	15	90
	303	0	14	90
	306	0	32	70
	308	0	22	00
	316	0	21	30
	301	0	15	90
	304	0	04	10
	309	0	07	00
<b>7. NIVANIYA</b>	416	0	29	50
<b>P.C.NO- 30</b>	514	0	14	10
	521	0	08	30
	522	0	17	70
	523	0	06	40
	524	0	20	50
	525	0	22	00
	526	0	25	10
	527	0	01	70

1	2	3	4	5
NIVANIYA (Cont'd)	530	0	00	40
	531	0	00	20
	532	0	37	60
	533	0	25	40
	541	0	03	80
	549	0	00	03
	590	0	05	30
	591	0	05	70
	600	0	46	90
	478/3	0	17	10
	478/1	0	26	30
	528/1	0	16	30
	528/2	0	00	10
	594/1	0	09	60
	594/2	0	09	40
8. BANGARDA P.C.NO- 31	32	0	33	30
	33	0	05	60
	46	0	29	70
	47	0	15	00
	48	0	02	70
	65	0	02	90
	66	0	02	90
	67	0	12	80
	68	0	11	10
	69	0	11	70
	72	0	15	00
	73	0	15	20
	74	0	06	50
	75	0	01	20
	78	0	00	01
	79	0	21	60
	80	0	21	60
	81/1	0	08	20
	163	0	10	90
	164	0	06	70
	188	0	15	80
	189	0	18	50
	206	0	36	70
	207	0	00	10
	208	0	24	10

1	2	3	4	5
JANGARDA (Cont'd)	254	0	16	60
	255	0	00	20
	256	0	11	60
	257	0	07	60
	258	0	03	40
	259	0	18	90
	262	0	01	40
	263	0	17	00
	264	0	00	30
	527	0	04	50
	528	0	24	30
	530	0	15	40
	538	0	01	40
	539	0	02	70
	540	0	00	01
	541	0	30	90
	542	0	51	50
	543	0	09	80
	558	0	18	30
	64	0	00	57
9. HAPA KHEDI P.C.NO- 39	110	0	18	90
	109	0	09	30
	98	0	16	30
	99	0	19	70
	108	0	01	40
	100	0	22	40
	87	0	27	70
	84	0	12	40
	78	0	26	50
	83	0	01	70
	79	0	01	80
	77	0	12	20
	76	0	00	70
	75	0	01	10
	74	0	02	70
	55	0	41	80
	305	0	21	40
	312	0	45	40
	302	0	09	80
	301	0	08	40

1	2	3	4	5
<b>HAPA KHEDI (Cont'd)</b>	300	0	07	20
	314	0	03	60
	315	0	04	40
	317	0	00	10
	318	0	31	10
	298	0	23	60
	320	0	05	60
	476	0	40	00
	471	0	09	40
	303	0	05	00
<b>10. BHIMA KHEDI</b>	208	0	00	40
<b>P.C.NO-31</b>	209	0	23	70
	230	0	32	40
	231	1	02	80
	244	0	81	00
	247	0	50	20
<b>11. SULFA KHEDI</b>	262	0	12	00
<b>P.C.NO- 38</b>	263	0	18	20
	264	0	19	20
	293	0	15	00
	294	0	18	60
	295	0	32	50
	296	0	02	70
	299	0	20	10
	292/3	0	04	80
	297/1	0	03	40
	297/2	0	08	10
	297/3	0	07	30
	298/1	0	04	50
	298/2	0	02	40
<b>12. GAGARDA KHEDI</b>	41	0	02	40
<b>P.C.NO- 30</b>	42	0	53	50
	45	0	02	20
	154	0	17	00
	156	0	40	60
	35	0	30	90
	36	0	16	80
	38	0	29	30
	39	0	16	40
	40	0	10	60

1	2	3	4	5
<b>JAGARDA KHEDI</b>	20	0	22	10
	23	0	11	30
	22	0	14	80
	24	0	02	20
	3	0	31	30
	7	0	16	60
	11	0	12	60
	19	0	22	10
	155	0	09	60
	159	0	32	60
	27	0	00	10

[No. L. 14014/28/2001-G.P.]  
SWAMI SINGH, Director

नई दिल्ली, 19 जून, 2002

का. आ. 2066.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाईप लाईन ( भूमि में उपयोग के अधिकार का अर्जन ) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है ) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ. 77 तारीख 09/01/2002 द्वारा तहसील देवास जिला देवास में गुजरात राज्य में जामनगर से मध्यप्रदेश राज्य में भोपाल तक पेट्रोलियम उत्पादों के परिवहन के लिए गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड द्वारा पाईप लाईन बिछाने के प्रयोजन के लिए उक्त अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी ;

और, उक्त अधिसूचना की प्रतियों जनता को तारीख 31 जनवरी 2002, एवं 1, एवं 2 फरवरी 2002, एवं 11, 12 एवं 28 मार्च 2002 में उपलब्ध करा दी गई थी।

और, उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और, केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए।

अतएव, अब केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाईप लाईन बिछाने के लिए उपयोग का अधिकार अर्जित किया जाता है।

यह, और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि के उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाए सभी विलगनों से मुक्त गैस ट्रांसपोर्टेशन एवं इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड में निहित होगा।

अनुसूची				
तहसील: देवास	जिला: देवास	राज्य: मध्य प्रदेश		
गाँव का नाम	क्षेत्रफल	सर्वे नंबर	हेक्टर	आरे
1	2	3	4	5
1. धामन्दा	384	0	24	30
प.ह.नं. 32	385	0	17	30
	389	0	17	70
	390	0	07	50
	393	0	00	80
	396	0	74	30
	399	0	00	10
	400	0	01	80
	401	0	18	80
	402	0	04	20
	407	0	17	60
	408	0	58	00
	279/1	0	09	90
	279/2	0	01	10
2. बरोठा	100	0	08	60
प.ह.नं. 41	104	0	24	30
	113	0	30	90
	114/1, 114/2	0	14	70
	241	0	18	20
	248	0	72	60
	250	0	06	60
	110/1843	0	00	12
	110/1844	0	09	70
	115/2	0	29	70
	85/2	0	10	50
	91/1	0	42	00
	91/2	0	02	30
	97/2	0	20	50
	99/2	0	00	30
	99/3	0	13	30
	99/4	0	32	10
	102/2	0	03	80



1	2	3	4	5
बरोठा (निरंतरद्ध)	102/3	0	18	30
	103/2	0	22	70
	105/1	0	02	00
	105/2	0	00	30
	119/2	0	05	30
	242/1	0	26	80
	83/2-83/1833/2	0	02	50
	86-87-88-89	0	41	03
3. भंडूया पिपल्या	187	0	30	70
प.ह.नं. 30	186	0	01	50
	196	0	10	10
	197	0	37	70
	200	0	01	80
	201	0	27	10
	203	0	13	10
	204	0	05	50
	311	0	48	60
	215	0	07	30
	217	0	25	20
4. कोकलाखेड़ी	12	0	01	60
प.ह.नं.31	13	0	60	60
	14	0	06	20
	15/1	0	30	60
	18	0	25	60
	20/1	0	32	20
	20/2	0	02	20
5. छोटीघुरलाई	6	0	02	80
प.ह.नं.37	13	0	08	70
	14	0	23	10
	12	0	14	10
	11	0	24	40
	72	0	03	90
	17	0	00	06
	73/2	0	16	00
	73/3	0	06	20
	5/1	0	04	00
	5/2	0	13	00

1	2	3	4	5
छेटीपुरलाई (गिरतरद)	7/2	0	14	40
	4/1	0	00	20
	4/2	0	00	90
6. सिरोल्या	230	0	73	40
प.ह.नं. 40	263	0	18	80
	262	0	31	00
	307	0	07	60
	315	0	21	10
	314	0	27	40
	313	0	54	00
	312	0	60	00
	347	0	28	50
	350	0	01	20
	349	0	30	80
	18	0	34	90
	85	0	35	30
	381	0	30	00
	369	0	48	70
	316	0	88	10
	227/2	0	12	60
	227/3	0	00	10
	227/8	0	13	90
	266/1	0	19	00
	266/4	0	13	70
	270/4	0	13	80
	271/3	0	04	40
	371/5	0	08	10
	371/6	0	05	80
	371/7	0	05	70
	371/8	0	04	20
	371/9	0	03	90
	371/10	0	03	50
	371/19	0	15	40
	371/29	0	00	80
	371/20	0	13	90
	371/21	0	14	50
	371/22	0	10	80

1	2	3	4	5
सिरौल्या (निरंतरद्ध)	371/23	0	08	10
	371/24	0	06	00
	371/25	0	03	40
	371/26	0	00	70
	371/58	0	04	00
	372/1	0	55	60
	372/2	0	39	30

[ प्र. सं. एल. 14014/28/2001-जी.पी. ]

रमणी सिंह, निदेशक

New Delhi, the 19th June, 2002

S. O. 2066.— Whereas, by a notification of the Government of India in the Ministry of Petroleum and Natural Gas. S.O 77 dated 9<sup>th</sup> January, 2002, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of regassified liquefied natural gas through the Jamnagar – Bhopal Pipeline Project from Jamnagar in the State of Gujarat to Bhopal in the State of Madhya Pradesh by Gas Transportation and Infrastructure Company Limited;

And whereas copies of the said Gazette notification were made available to the public on 31<sup>st</sup> day of January, 2002 and 1<sup>st</sup> and 2<sup>nd</sup> day of February, 2002 and 11<sup>th</sup>, 12<sup>th</sup> and 28<sup>th</sup> day of March, 2002.

And, whereas, the Competent Authority has under sub-section (1) of section 6 of said Act, submitted report to the Central Government;

And further, whereas, the Central Government has, after considering the said report, and on being satisfied that the said land is required for laying the Pipeline and has decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the Schedule appended to this notification is hereby acquired, for laying the pipeline;

And, further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government directs that the right of user in the said land shall instead of vesting in the Central Government, vest on this date of publication of this declaration, in Gas Transportation and Infrastructure Company Limited, free from all encumbrances.

**SCHEDULE**

Tehsil: Dewas		District: Dewas		State: Madhya Pradesh	
Name of the Village		AREA			
	Survey No	Hectare	Are	C-Are	
1	2	3	4	5	
<b>1. DHAMANDA</b> <b>P.C.NO- 32</b>	384	0	24	30	
	385	0	17	30	
	389	0	17	70	
	390	0	07	50	
	393	0	00	80	
	396	0	74	30	
	399	0	00	10	
	400	0	01	80	
	401	0	18	80	
	402	0	04	20	
	407	0	17	60	
	408	0	58	00	
	279/1	0	09	90	
	279/2	0	01	10	
	100	0	08	60	
	104	0	24	30	
	113	0	30	90	
<b>2. BAROTHA</b> <b>P.C.NO- 41</b>	114/1,114/2	0	14	70	
	241	0	18	20	
	248	0	72	60	
	250	0	06	60	
	110/1843	0	00	12	
	110/1844	0	09	70	
	115/2	0	29	70	
	85/2	0	10	50	
	91/1	0	42	00	
	91/2	0	02	30	
	97/2	0	20	50	
	99/2	0	00	30	
	99/3	0	13	30	
	99/4	0	32	10	
	102/2	0	03	80	
	102/3	0	18	30	

1	2	3	4	5
<b>BAROTHA (Cont'd)</b>	103/2	0	22	70
	105/1	0	02	00
	105/2	0	00	30
	119/2	0	05	30
	242/1	0	26	80
	83/2-83/1833/2	0	02	50
	86-87-88-89	0	41	03
<b>3. BHANDIYA PIPLIYA</b>	187	0	30	70
<b>P.C.NO- 30</b>	186	0	01	50
	196	0	10	10
	197	0	37	70
	200	0	01	80
	201	0	27	10
	203	0	13	10
	204	0	05	50
	311	0	48	60
	215	0	07	30
	217	0	25	20
<b>4. KOKALA KHEDI</b>	12	0	01	60
<b>P.C.NO – 31</b>	13	0	60	60
	14	0	06	20
	15/1	0	30	60
	18	0	25	60
	20/1	0	32	20
	20/2	0	02	20
<b>5. CHHOTI CHURLAI</b>	6	0	02	80
<b>P.C.NO-37</b>	13	0	08	70
	14	0	23	10
	12	0	14	10
	11	0	24	40
	72	0	03	90
	17	0	00	06
	73/2	0	16	00
	73/3	0	06	20
	5/1	0	04	00
	5/2	0	13	00
	7/2	0	14	40

1	2	3	4	5
CHHOTI CHURLAI (Cont'd)	4/1	0	00	20
	4/2	0	00	90
6. SIROLIYA	230	0	73	40
P.C.NO- 40	263	0	18	80
	262	0	31	00
	307	0	07	60
	315	0	21	10
	314	0	27	40
	313	0	54	00
	312	0	60	00
	347	0	28	50
	350	0	01	20
	349	0	30	80
	218	0	34	90
	385	0	35	30
	381	0	30	00
	369	0	48	70
	316	0	88	10
	227/2	0	12	60
	227/3	0	00	10
	227/8	0	13	90
	266/1	0	19	00
	266/4	0	13	70
	270/4	0	13	80
	271/3	0	04	40
	371/5	0	08	10
	371/6	0	05	80
	371/7	0	05	70
	371/8	0	04	20
	371/9	0	03	90
	371/10	0	03	50
	371/19	0	15	40
	371/29	0	00	80
	371/20	0	13	90
	371/21	0	14	50
	371/22	0	10	80
	371/23	0	08	10

1	2	3	4	5
<b>SIROLIYA (Cont'd)</b>	371/24	0	06	00
	371/25	0	03	40
	371/26	0	00	70
	371/58	0	04	00
	372/1	0	55	60
	372/2	0	39	30

[No. L. 14014/28/2001-G.P.]  
SWAMI SINGH, Director

नई दिल्ली, 19 जून, 2002

का. आ. 2067.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्यां का. आ. 293 तारीख 30 जनवरी, 2002 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मैसर्स गैस ट्रांसपोर्टेशन एण्ड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड द्वारा मैसर्स गैस ट्रांसपोर्टेशन एण्ड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड की संप्रवर्तक कम्पनी मैसर्स रिलायंस इन्डस्ट्रीज लिमिटेड के गोवा के उत्तरी / दक्षिणी अपतट के खोज ब्लॉकों और आन्ध्र प्रदेश की संरचनाओं से आन्ध्र प्रदेश राज्य में जिला रंगारेडी के उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 5 मार्च 2002 को उपलब्ध करा दी गई थीं ;

और, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर, कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगों से मुक्त गैस ट्रांसपोर्टेशन एण्ड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड में निहित होगा।

अनुसूची					
मण्डल : नरपल्लि		जिला : रंगरेड्डी		राज्य : आन्ध्रप्रदेश	
गाँव का नाम	सर्वे नंबर	सब-डिविजन नंबर	इन्टेर	पैर	सि-पैर
1	2	3	4	5	6
1. बलापुर	57	-	0	57	00
	71	-	0	81	95
	88	-	0	55	35
	90	-	0	39	30
	92	-	0	00	75
	136	-	0	21	85
	138	-	0	49	00
	139	-	0	61	20
	140	-	0	10	80
	32	-	0	39	60
2. कामसेट्टिपल्लि	35	-	0	29	15
	39	-	0	08	00
	47	-	0	32	60
	50	-	0	54	85
	52	-	0	00	25
	58	-	0	40	40
	150	-	0	03	95
	152	-	0	27	70
	158	-	0	00	40
	210	-	0	01	00
	211	-	0	01	10
	213	-	0	27	75
	215	-	0	17	65
	221	-	0	05	00
	222	-	0	28	60
	223	-	0	03	55
	228	-	0	01	70
	231	-	0	01	00
	255	-	0	24	45
	268	-	0	44	70
3. बिलाकल	269	-	0	00	80
	270	-	0	08	50
	44	-	0	55	70
	45	-	0	31	40
	46	-	0	29	35
	50	-	0	04	35
	51	-	0	29	85
	52	-	0	23	20
	53	-	0	02	25
	54	-	0	26	75
4. मोगिलिगुण्डूला	55	-	0	66	70
	73	-	0	20	80
	74	-	0	47	25
	75	-	0	13	25
	86	-	0	44	45
	87	-	0	43	90
	4	-	0	61	30
	5	-	0	74	80
	113	-	0	61	55
	114	-	0	49	55
	115	-	0	18	65
	117	-	0	18	00
	119	-	0	34	40



1	2	3	4	5	6
	124	-	0	20	06
	125	-	0	06	80
	129	-	0	01	35
	130	-	0	43	35
	133	-	0	14	40
	135	-	0	38	30
	138	-	0	32	00
	139	-	0	07	55
<b>मण्डल : कुतुबुल्लापुर</b>					
<b>जिला : रंगारेड्डी</b>					
<b>राज्य : आन्ध्रप्रदेश</b>					
गागिलापुर	78	-	0	47	70
	138	-	0	07	75
	139	-	0	18	60
	143	-	0	01	15
	144	-	0	30	85
	145	-	0	01	60
	146	-	0	20	00
	147	-	0	24	00
	152	-	0	31	00
	161	-	1	13	00

[ फा. सं. एल. 14014/4/2002-जी.पी. ]

स्वामी सिंह, निदेशक

New Delhi, the 19th June, 2002

S. O. 2067.— whereas, by a notification of the Government of India in the Ministry of Petroleum and Natural gas, S.O. 293 dated 30<sup>th</sup> January, 2002, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines ( Acquisition of Right of User in Land) Act 1962 (50 of 1962), ( hereinafter referred to as the said Act ), the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of the Natural Gas from the exploration blocks in the Northern/Southern Offshore of Goa and Structures in Andhra Pradesh of M/s Reliance Industries Limited, the promoter company of M/s Gas Transportation & Infrastructure Company Limited to the various consumers of District Rangareddy in the State of Andhra Pradesh, a Pipeline should be laid by M/s Gas Transportation and Infrastructure Company Limited;

And whereas copies of the said Gazette notification were made available to the public on 05<sup>th</sup> day of March 2002;

And whereas the Competent Authority has under sub-section (1) of section 6 of said Act submitted report to the Central Government;

And further whereas the central Government has, after considering the said report and on being satisfied that the said land is required for laying the Pipeline and has decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the Schedule appended to this notification is hereby acquired, for laying the pipeline;

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act the Central Government directs that the right of user in the said land shall instead of vesting in the Central Government, vest on this date of publication of this declaration, in Gas transportation and Infrastructure Company Limited, free from all encumbrances.

SCHEDULE					
Mandal : Marpalli		District : Rangareddy		State : Andhra Pradesh	
AREA					
Name of the Village	Survey No	Sub-Division No	Hectare	Are	C-Are
1	2	3	4	5	6
1.Ghanapur	57	-	0	57	00
	71	-	0	81	95
	88	-	0	55	35
	90	-	0	39	30
	92	-	0	00	75
	136	-	0	21	95
	138	-	0	49	00
	139	-	0	61	20
	140	-	0	10	80
	2.Kameetipalli	32	-	0	39
35		-	0	29	15
39		-	0	06	00
47		-	0	32	60
50		-	0	54	85
52		-	0	00	25
56		-	0	40	40
150		-	0	03	95
152		-	0	27	70
158		-	0	00	40
210		-	0	01	00
211		-	0	01	10
213		-	0	27	75
215		-	0	17	65
221		-	0	05	00
222		-	0	26	60
223		-	0	03	55
228		-	0	01	70
231		-	0	01	00
255		-	0	24	45
3.Bilikal	266	-	0	44	70
	269	-	0	00	80
	270	-	0	08	50
	44	-	0	55	70
	45	-	0	31	40
	46	-	0	29	35
	50	-	0	04	35
	51	-	0	29	85
	52	-	0	23	20
	53	-	0	02	25
	54	-	0	26	75
	55	-	0	66	70
	73	-	0	20	80

1	2	3	4	5	6
3.Bilkal (Contd.)	74	-	0	47	28
	75	-	0	13	25
	86	-	0	44	45
	87	-	0	43	90
4.Mogligundla	4	-	0	61	30
	5	-	0	74	80
	113	-	0	61	55
	114	-	0	49	55
	115	-	0	16	65
	117	-	0	16	00
	119	-	0	34	40
	124	-	0	20	05
	125	-	0	06	80
	129	-	0	01	35
	130	-	0	43	35
	133	-	0	14	40
	135	-	0	38	30
	138	-	0	32	00
	139	-	0	07	55
Mandal : Outbullapur	District : Rangareddy		State : Andhra Pradesh		
Gagilapur	78	-	0	47	70
	138	-	0	07	75
	139	-	0	18	60
	143	-	0	01	15
	144	-	0	30	85
	145	-	0	01	60
	146	-	0	20	00
	147	-	0	24	00
	152	-	0	31	00
	161	-	1	13	00

[No. L. 14014/4/2002-G.P.]  
SWAMI SINGH, Director

नई दिल्ली, 19 जून, 2002

का. आ. 2068.— केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii) तारीख 9 जनवरी, 2002 में पृष्ठ 1417 से पृष्ठ 1430 पर प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 369, तारीख 01 फरवरी, 2002 में निम्नलिखित संशोधन करती है, अर्थात् :-

उक्त अधिसूचना की अनुसूची में,

पृष्ठ 1419 पर स्तंभ 1 में आने वाले गाँव "कोटडा खुर्द" गाँव के स्थान पर गाँव "कोटडा बुर्जग" रखा जाएगा, ;

[फा. सं. एल. 14014/13/2002-जी.पी.]

स्वामी सिंह, निदेशक

New Delhi, the 19th June, 2002

S. O. 2068.— In exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Petroleum and Natural Gas, number S.O. 369, dated the 1<sup>st</sup> February, 2002, published at pages 1430 to 1443 in part II, section 3, sub-section (ii) of the Gazette of India, dated the 9<sup>th</sup> February, 2002, namely:-

In the Schedule to the said notification:-

at page 1432 under column 1, for the village "KOTADA KHURD" the village "KOTADA BUZARG" shall be substituted.

[No. L. 14014/13/2002-G.P.]

SWAMI SINGH, Director

नई दिल्ली, 21 जून, 2002

का. आ. 2069.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि उत्तर प्रदेश राज्य में विद्यमान बरौनी-कानपुर उत्पाद पाइपलाइन के इलाहाबाद -कानपुर सेक्शन से लखनऊ तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा एक शाखा पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से, जिसको उक्त अधिनियम की धारा 3 की उपधारा (i) के अधीन राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाने के सम्बन्ध में श्री विजय बहादुर, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, विद्यमान बरौनी-कानपुर उत्पाद पाइपलाइन के इलाहाबाद-कानपुर सेक्शन से लखनऊ तक शाखा पाइपलाइन, एन-29, ब्लॉक-बी, पंकी, कानपुर-208020 (उत्तर प्रदेश) को लिखित रूप में आक्षेप भेज सकेगा।

## अनुसूची

तहसील - कानपुर	जिला - कानपुर	राज्य - उत्तर प्रदेश		
गाँव का नाम	खसरा नं०	क्षेत्र		
		हेक्टेयर	आर	वर्गमीटर
1	2	3	4	5
छतमरा	320	0	01	00
किसुनपुर	216	0	08	40
<u>तहसील - उन्नाव</u>	<u>जिला - उन्नाव</u>			
सरवागर	249	0	51	36
पोटरिहा	1701	0	00	40
करौंदी	183	0	09	47
<u>तहसील - हसनगंज</u>	<u>जिला - उन्नाव</u>			
मलावँ	297	0	00	96
	392	0	08	21
कुसुम्भी	1653	0	48	37
अजगैन	737	0	09	36
रायपुर खेलामऊ	500	0	06	72
<u>तहसील - लखनऊ</u>	<u>जिला - लखनऊ</u>			
रहीमनगर पडियाना	1309	0	03	05
लोनहा	929	0	11	23

फा. सं. आर. 25011/13/2002/ओ.आर. 1]

हरीश कुमार, अवर सचिव

New Delhi, the 21st June, 2002

**S. O. 2069.**— Whereas, it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products in the State of Uttar Pradesh, a branch pipeline to Lucknow from Allahabad-Kanpur Section of existing Barauni- Kanpur Product Pipeline should be laid by Indian Oil Corporation Limited;

And Whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land ) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of this notification, issued under sub-section (1) of section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the laying of the pipeline under the land to Shri Vijay Bahadur, Competent Authority, Indian Oil Corporation Limited, Branch Pipeline to Lucknow from Allahabad-Kanpur Section of existing Barauni-Kanpur Product Pipeline, N-29, Block-B, Panki, Kanpur-208 020 (Uttar Pradesh).

Schedule

Tehsil – Kanpur		District-Kanpur		State-Uttar Pradesh	
Name of Village	Khasra No.	Area			
		Hectare	Are	Centiare	
1	2	3	4	5	
Chhitmara	320	0	01	00	
Klshanpur	216	0	08	40	
<u>Tehsil – Unnao</u>		<u>District – Unnao</u>			
Şarwagar	249	0	51	36	
Potariha	1701	0	00	40	
Karaundi	183	0	09	47	
<u>Tehsil-Hasanganj</u>		<u>District – Unnao</u>			
Malawan	297	0	00	96	
	392	0	08	21	
Kusumbhi	1653	0	48	37	
Ajgain	737	0	09	36	
Raipur Khelamau	500	0	06	72	
<u>Tehsil – Lucknow</u>		<u>District – Lucknow</u>			
Rahimnagar Pandiana	1309	0	03	05	
Lonha	929	0	11	23	

[F. No. R-25011/13/2002 OR-I.]  
HARISH KUMAR, Under Secy.



## श्रम मंत्रालय

## AWARD

नई दिल्ली, 27 मई, 2002

का. आ. 2070:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय जीवन बीमा निगम के प्रबंधन के संबंध में निषेधकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण श्रम न्यायालय हैदराबाद के पंचाट (संवर्ध संख्या 9/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-5-2002 को प्राप्त हुआ था।

[सं. एल-12025/8(V)/2002-आई. आर. (बी-II)]

सी. गंगाधरन, अवर सचिव

## MINISTRY OF LABOUR

New Delhi, the 27th May, 2002

S.O. 2070.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 9/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Life Insurance Corporation of India and their workman, which was received by the Central Government on 27-5-2002.

[No. L-12025/8(V)/2002-IR(B-II)]

C. GANGADHARAN, Under Secy.

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR  
COURT AT HYDERABAD

## PRESENT :

Shri E. Ismail, Presiding Officer.

Dated : 29th day of April, 2002

Industrial Dispute L.C.I.D. No. 9/2001

## BETWEEN

Sri R. Dayananda Swamy,  
R/o 14-9-874, Chowrahi Finsi,  
Lower Dholpet,  
Hyderabad-2.

Petitioner

## AND

The Divisional Manager,  
Life Insurance Corporation of India  
Jeevan Prakash Building,  
Divisional Office,  
5-9-21, Secretariat Road,  
Saifabad, Hyderabad.

... Respondent

## APPEARANCES :

For the Petitioner : M/s. G. Ravi Mohan, Advocates.

For the Respondent: Sri S. Sarvan Kumar, Advocate.

1845 GI/2002—19

This is a case taken under Section 2A(2) of the I.D. Act, 1947 in view of the judgement of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s Cotton Corporation of India and two others.

2. The brief facts as stated in the petition are : that the petitioner joined in the services of the Respondent Corporation on 30-3-94 as a Watchman and worked continuously till he was removed from service on 5-2-2001. At the time of removal petitioner was drawing basic pay of Rs. 1000 P.M. The petitioner has requested the respondent to reconsider the decision for revocation of removal. He filed an appeal before the Appellate Authority and the same was rejected. Hence, he approached this Court. Further petitioner belongs to Scheduled Tribe. That the respondent in the month of December, 1994 issued a paper notification for the temporary appointments in the cadre of Security Guards and Watchman in various city branches of Hyderabad. The petitioner's name was sponsored by the employment exchange. Petitioner made application for appointment for the post of watchman. Petitioner was interviewed and selected to the post of Watchman. Hence, the petitioner was appointed on a permanent basis in a permanent vacancy. He was issued temporary appointment order. Accordingly, 30 watchmen were appointed in various branches. That among the selected 30 candidates petitioner was the senior most and was placed at serial number 6. He has been paid minimum scale. He made representation to the respondent for regularization. Although they have regularized the services of the similarly situated employees, they did not regularize the services of the petitioner. After dispensing with the services of the petitioner, they are employing security persons on temporary basis. The petitioner was terminated from services on 5-2-2001 without assailing any reasons. The respondent neither gave any notice nor paid any compensation as required under Section 25-F of I.D. Act. The respondent Corporation being an instrumentality of the State is expected to be a model employer. Hence, the respondent may be directed to reinstate the petitioner with continuity of service and back wages etc.

3. A counter was filed that a writ petition was filed before the Hon'ble High Court of A.P., WP No. 2572 of 2001 seeking direction to continue the petitioner in service pending disposal of the WP. The petitioner had also sought issue of writ to direct the respondent to regularize the services of the petitioner in the respondent Corporation. When the matter is pending before the Hon'ble High Court the petitioner may not be heard by the Labour Court on the same matter.

4. The petitioner was appointed as temporary Watchman and the letter of appointment clearly indicates that the appointment would not entitle the person to claim for permanent appointment in the Corporation.

5. LIC of India (Staff) Regulations, 1960 by virtue of LIC Amendment Act, 1981 are deemed to be Rules framed by the Central Government in exercise of powers vested under Section 48 of the LIC Act, 1956.

LIC of India (Staff) Regulations, 1960 thus has the force of law. Regulation 8 of LIC of India (Staff) Regulations, 1960 provide for appointment of temporary staff. The said regulation while enabling appointment of Temporary Staff also provide that no person by virtue of such appointment is entitled to absorption in the service of the Corporation or can claim preference for recruitment to any post. Watchman is also staff under Regulation 5 of the LIC of India (Staff) Regulations, 1960.

6. In exercise of powers vested in Chairman under Regulation 8 of LIC of India (Staff) Regulation, 1960, the Chairman had issued instructions governing terms of appointment of Temporary Staff called, 'LIC of India (Employment of Temporary Staff) Instructions, 1993'. The said instructions inter-alia stipulate that temporary employment of any person will automatically come to an end when the regular employee fills the vacancy. The petitioner was appointed as Temporary Watchman in 1994 pending appointment of permanent watchman. When the Regular, permanent watchmen were appointed in January, 2001, the petitioner, in terms of stipulation governing the appointment of temporary staff was terminated on 5-2-2001. There is no irregularity in terminating the petitioner as Temporary Watchman. The act of terminating the services of the petitioner does not attract the provision of Section 25F of the I.D. Act, 1947 as the termination of the petitioner was in fulfilment of the terms of appointment governing the petitioner (Sub-clause bb of Clause oo of Section 2 of the Act).

7. Sub-section 2C of Section 48 of LIC Act, 1956 provides that Rules framed by the Central Government under sub-clause cc of Sub-section 2 of the Act shall have effect not withstanding Judgement, decree or order of any Court, Tribunal or other Authority and not withstanding anything contained in the I.D. Act, 1947. LIC of India (Staff) Regulations, 1960 are deemed to be Rules framed by the Central Government under Section 48 of the LIC Act, 1956. As such, Regulation 8 of the LIC of India (Staff) Regulations, 1960 on Temporary Staff shall have overriding effect over the provisions of I.D. Act, 1947 with regard to matters contained therein.

8. The Respondent denies that paper notification for the post of Temporary Watchman was issued in December, 1994 or at any time before or thereafter. It is denied that the name of the petitioner was sponsored by Employment Exchange. It is denied that any impression was given at any time that the service of the petitioner would be confirmed. It is denied that any seniority list of temporary watchman is maintained. It is denied that at the time of interview any expectation was created that the petitioner was put on probation or that there is any period of probation for the temporary post. It is denied that there is any provision for appeal in the case of temporary staff or that the petitioner made any appeal. It is denied that there is provision for regularization of service of temporary staff.

9. The act of the respondent in terminating the services of the petitioner was in conformity with the law and no irregularity can be perceived, on the part of the opposite party to grant the relief claimed. The petitioner may be dismissed.

10. The petitioner examined himself as WW1 and deposed that he joined the respondent Corporation as Watchman on 30th March, 1994 and an identity card was issued and renewed upto 31-3-2001. He was working on the shift system on both day duty and night duty. There were 14 other Watchmen besides him. His last drawn pay was Rs. 3600. Identity Card is Ex. W1. Xerox copy of the application is Ex. W2, notification is Ex. W3, Ex. W4 is appointment letter of watchmen. He was paid monthly salary, it is a permanent post. Several others were made permanent and the remaining 8 were terminated on 5-2-2001. He filed WP No. 2572 of 2001 for regularization after termination of his services. That the order of termination is illegal and arbitrary. Hence, he may be reinstated with back wages and continuity of service.

11. In the cross-examination he deposed that the vacancy was advertised in newspaper. He denied that it was not advertised in the newspaper. As per Ex. W4 dated 2-5-94 the appointment was as temporary watchman. It is not true to suggest that 7 persons including Sri P. Ramulu who were working with him were not made permanent. He does not know whether temporary candidates could be ousted as and when permanent candidates are recruited. It is not true that he was temporary employee, his services were terminated and he is not entitled to for notice or pay in lieu of it.

12. The respondent examined Mr. Chandra Sekhar, A.A.O. in LIC who deposed as MW1. That Ex. M1 was issued from their office on 30-3-94 to WW1 asking him to come for an interview on 6-4-94 as a temporary watchman. It is clearly mentioned that the appointment is purely temporary. On 2-5-94 vide Ex. M2 he was asked to report to Security Officer on or before 9-5-94. It also specifically states temporary appointment of watchman. He continued to work till 5-2-2001 as temporary watchman whose services were terminated with immediate effect vide Ex. M3. The Regional Manager (E & OS) informed vide Ex. M4 dated 14-2-2001 to the Manager (P & IR) that the petitioner may be sent letter by registered post along with two others about termination of their services. As per rules whenever permanent employees were recruited temporary employees are terminated. Accordingly, vide Ex. M4 8 temporary watchmen were terminated. None of the 8 persons mentioned in the Ex. M4 were again appointed on temporary basis. The petitioner is not entitled for reappointment, back wages or any other benefits. In the further chief he deposed that his section is concerned with appointment and allotting to various sections making the employees permanent or removing them. Ex. M5 is the LIC of India Regulations, 1960, Ex. M6 is the LIC of India Instructions in the employment of Temporary Staff, 1993. Regulation 8 of Ex. M5 applies to the petitioner and also Ex. M6 applies fully to the petitioner. The termination of the petitioner is as per Regulation 8 of Ex. M5. The petitioner is entitled for absorption.

13. In the cross examination, he deposed that he does not know the petitioner personally and he is deposing on the basis of record. It is true that LIC issued appointment letter dated 30-3-94 appointing WW1 as a temporary sub-staff/watchman cadre. Duties of the petitioner were to work as watchman through the 3 shifts each of 8 hours. Attendance Register of all the watchmen including petitioner were maintained.

They also used to maintain wage register. Sub-staff includes Watchman, Peon Caretaker. It is true that the petitioner worked till 5-2-2001. No notice was given to the petitioner before termination of his services. It is not true to suggest that the termination is not in accordance with Regulation 8 of Ex. M5 that they have not supplied Ex. M5 and Ex. M6 documents. It is not correct to suggest that some of the provisions of Ex. M5 and Ex. M6 are inconsistent with I.D. Act and the petitioner will be governed by I.D. Act.

14. It is argued by the Learned Counsel for the petitioner that the issue of a notice is mandatory under Section 25F of the I.D. Act and any other instructions issued by the Respondent contra to the I.D. Act are not binding on the petitioner. He relied on 2000(3) Supreme Court Cases page 239 wherein it was held that a probationary like a temporary servant is also entitled to certain protection. His services cannot be terminated arbitrarily or punitively without complying with the principles of natural justice. Appellant's services terminated during probation period invoking terms and conditions of his appointment which permitted termination without notice, termination order stating that the appellant failed in the performance of his duties administratively and technically, besides, the affidavits filed in High Court and in the Supreme Court also indicated the background in which the appellant was terminated, held, the order on the face of it was stigmatic and punitive, High Court was wrong in holding it as non-stigmatic, termination order could not be passed without holding a proper enquiry. He submits that the petitioner is a person who has put in 7 years of service and there is nothing against him even according to Ex. MW1. Coolly he was asked on 5-2-2001 that his services are terminated. This is against principles of natural justice but throw a man on the road who has put in 7 years of service and violation of Section 25F of the I.D. Act. No matter what the rules of the Corporation say to the contra. He therefore, prays that the petitioner be reinstated with back wages.

15. The Counsel for the respondent argues that as stated by MW1 that he is governed by Regulation 8 of Ex. M5 and Ex. M6. Hence, he was rightly dismissed when regular employees are appointed. He relies on Legal Digest, High Court of Madras page 471 wherein it was held by the High Court of Madras that daily rated workers have no right whatsoever claim regular appointment. He also relied on the Judgement reported in Legal Digest of High Court of Delhi page 456 wherein it was held that the right of enquiry and hearing arises on holding a post. Such a right is not for asking by all and sundry. This position is no more res integra and is fairly well settled by several judgments of SC right from Purshotam Lal Dhingra's case, wherein an employee is not holding a post, he was liable to be sent out on terms of his appointment. He also relied on Legal Digest, October, 2001 page 465 wherein it was held if a person appointed on temporary basis cannot be regularized a daily wager also cannot be regularized. He also relied on Legal Digest January, 2001 page 8 wherein their Lordships of the Supreme Court held where termination of services during period of probation in terms of letter of appointment, Section 25F not attracted. He also relied on Legal Digest January, 2000 page 217 wherein validity

of the provisions of the LIC Amendment Act, 1981 and the LIC Ordinance, 1981 and the rules made on 2-2-1981 could not be said to have infringed article 14 and is also not invalid on the ground of excessive delegation of legislative functions. However, reading of Section 48(2c) with 48(2)(cc), means that in respect of the matters covered by the rules of the provision of the I.D. Act or any other law will not be operative. Hence, he submits that the termination of the petitioner was in accordance with Ex. W5 and Ex. W6. Therefore, the petition may be dismissed.

16. It may be noted that it is not denied that the petitioner was appointed as watchman on 30th March, 1994 and continued as such till 30th March, 2001 that is for 7 long years. That identity card is Ex. W1 which was issued on 17-5-96. Ex. W6 is the termination letter dated 5-2-2001 which simply states that— 'further to our letter dated 2-5-94 your services are hereby terminated with immediate effect. Ex. W2 is the application for the post of sub-staff peon. Ex. W3 is the letter from Insurance asking for employment exchange registration number etc., Ex. W4 is asking him to report for duty as temporary watchman. Ex. W5 is asking for arrears of wages. Ex. M1 is letter dated 30-3-94 asking Dayananda Swamy to come to interview as sub-staff watchman temporary. Ex. M2 is asking him to report before the Security Officer. Ex. M3 is termination of service. Ex. M4 is termination of service of 8 persons including the petitioner. Ex. M5 is the Life Insurance Corporation of India Regulations, 1960. Ex. M6 is employment of temporary staff. It may be seen that the Hon'ble Supreme Court decided that the validity of the provisions of Life Insurance Corporation Amendment Act as the L.I.C. Ordinance, 1981 are in infringing Article 14. So it was argued by the Learned Counsel for respondent in 1995, regulations of 1980 also does not infringe Article 14 and therefore Lordships also discussed that the Section 48 2(C) and 48 2(cc) means that the respective matters cover rules and the provisions of the I.D. Act or any other law will not be operative. Unfortunately the said regulation is not before me but, that of 1960, but perhaps on the same lines. The petitioner also seems to have approached the Hon'ble High Court by W.P. No. 2572 of 2001 seeking direction to continue the petitioner in service, pending disposal of the W.P. and also sought issue of writ to direct the Respondent to regularize his services. It is now stated across the bar. That the said W.P. No. 2572 of 2001 has been dismissed on 25-4-2001 as withdrawn to file appropriate writ. Obviously no other writ is filed and the petitioner has approached this Court. In absence of any other writ pending before the Hon'ble High Court of Judicature, representation that the said W.P. No. 2572 of 2001 has been dismissed as withdrawn as far back as 25-4-2001 as correct I proceed to decide the case on merits. It may be seen that the petitioner has put in service of almost 7 years have not been appointed on 30-3-94 and dismissed on 5-2-2001. It may be seen that he was also paid minimum scale and in fact he has filed the said writ for regularization and he was dismissed from service.

17. It is rather perhaps inadvertently not brought to my notice in this case, as I am pronouncing in another case that is I.D. 10/2001 a similar case against Life Insurance Corporation of India today itself

where these following facts have been brought to my notice that the Hon'ble High Court of A.P. in W.P. No. 429 and 9431 of 1997 passed orders wherein the Respondent herein has been made as Respondent No. 4 in the said W.P. and not only that the Union of India and various others have been made as parties. Where his Lordships has referred to a reference before the Central Government Industrial Tribunal, New Delhi in I.D. No. 227/1991 where the reference was as follows : "Whether the action of the management of Life Insurance Corporation of India in not absorbing the badli/temporary and part-time workmen employed in the establishment of Life Insurance Corporation of India after 20th May, 1985 is justified? If not, to what relief the workmen are entitled?" His Lordships also referred that a scheme was framed by the order of the Hon'ble Supreme Court dated 20th October, 1992 and the scheme was approved by the Hon'ble Supreme Court of India and the employees are governed by the Corporation known as Life Insurance Corporation of India Instructions, 1993. His Lordship further observed that to continue till the award is passed by the Central Government Industrial Tribunal, New Delhi, badli and other temporary employees should be continued would be nothing but placing premium on the Life Insurance Corporation and further stated that award has to be passed by Central Government Industrial Tribunal, New Delhi. A copy of the Hon'ble High Court Judgement shall be placed in this from I.D. No. 10/2001 and marked as Ex. X1 and a copy of the Central Government Industrial Tribunal, New Delhi award shall be placed in L.C. I.D. 9/2001 and marked as Ex. X2. As it will not be appropriate on my part not to place them on record when it has been brought to my notice in the other case and it is a Judgement of the Hon'ble High Court and Central Government Industrial Tribunal, New Delhi. I wish that the Advocate for the petitioner or the respondent should have placed such important documents before the Court. Otherwise it might have resulted in miscarriage of justice. Similarly in the I.D. No. 10/2001 the award of the Central Government Industrial Tribunal, New Delhi which is pending as per Ex. X2 was passed. The reference was as stated supra was covering all the badli and temporary employees through out India. It has not been brought to my notice whether the said award which has been published also by the Government of India on 22-6-2001 as to what happened to the award and whether any stay is obtained. In that award my Learned Colleague has stated and directed that action of the Corporation denying absorption is not justified. I further find that these workmen employed after 20th May, 1985 should be given absorption in their job on same terms and conditions. Therefore, similar direction is given with little modification because it has not brought to my notice that the award has been stayed by the Hon'ble High Court and if any such stay is there obviously in view of the Judgement cited by the respondents the same will apply to this case and automatically there will be stay. But there is no stay granted to the award passed by my Learned Brother on June 18th, 2001 and published on 22-6-2001 and in this particular case the petitioner has put in 7 years of service appointed on 30-3-94 and worked continuously till 5-2-2001. Therefore an award is passed accordingly in terms of the award passed by my Learn-

ed Colleague of New Delhi, Central Government Industrial Tribunal in I.D. No. 27/1991 passed on 18-6-2001 as follows, "The petitioner shall be taken into consideration for absorption as he has become eligible for absorption after having put in 7 years of service and he shall be given appointment as temporary watchman or sub-staff within 30 days from the publication of this award and in due course when regular vacancy arises his date of appointment shall be taken into consideration as 30-3-94 and he be appointed on his being eligible and suitable. However, the petitioner is not entitled for any back wages".

Award passed accordingly. Transmit.

Dictated to Kum. K. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me in the Open Court on this the 29th day of April, 2002.

E. ISMAIL, Presiding Officer

#### Appendix of evidence

##### Witness examined for the Petitioner :

WW1 : Sri R. Dayananda Swamy.

##### Witness examined for the Respondent :

MW1 : Sri M. Chandra Sekhar.

##### Documents marked for the Petitioner :

Ex. W1 :—Identity Card of WW1.

Ex. W2 :—Copy of application for the post of sub-staff by WW1.

Ex. W3 :—Copy of appointment order dated 30-3-94.

Ex. W4 :—Copy of letter dated 2-5-94.

Ex. W5 :—Copy of WW1 application for arrears dated nil.

Ex. W6 :—Copy of termination order dated 5-2-2001.

##### Documents marked for the Respondent :

Ex. M1 :—Copy of appointment order dated 30-3-94.

Ex. M2 :—Copy of Lr. No. P&IR/120 dated 2-5-94.

Ex. M3 :—Copy of termination order dated 5-2-2001.

Ex. M4 :—Copy of Lr. No. OS/GEN dated 14th February, 2001 reg. Termination.

Ex. M5 :—Copy of Life Insurance Corporation of India (Staff) Regulations, 1960.

Ex. M6 :—Copy of Circular No. ZD/793/ASP/93 dated 28-6-1993.

##### Documents marked by the Court :

Ex. X1 :—Copy of Judgement of the Hon'ble High Court.

Ex. X2 :—Copy of Judgement of C.G.I.T., New Delhi in ID No. 27/91.

नई दिल्ली, 28 मई, 2002

## APPEARANCES :

For the Petitioner : Sri. K. Rama Murthy,  
Advocate.For the Respondent : M/s. A. Krishnam Raju,  
Advocates

## AWARD

The Government of India, Ministry of Labour by its order No. L-12012/130/2000-IR(B.II) dated 10-1-2001 referred the following dispute under section 10(1) (d) of the I.D. Act, 1947 for adjudication to this Tribunal between the employers in relation to the Management of and their workman.

## SCHEDULE

"Is the management of Indian Overseas Bank justified in terminating the services of Sri. S. Sathajiah, Ex. Messenger, MG Road branch, Secunderabad vide order dated 17-7-1999? If not, what relief is he entitled to?"

This reference was registered as Industrial Dispute No. 4/2001 and notices were issued to the parties.

2. After the reference the averments in the petition are : that he worked as Messenger with Roll No. 29019 with R1 that is Indian Overseas Bank, M.G. Road branch, Secunderabad. He has rendered 9 years of unblemished service to the utmost satisfaction of the superior officers. While he was working as Messenger in the above said branch on 8-1-99 there was alleged cash shortage of Rs. 50,000 from the cashier Mr. S. Chandra Mohan, and Head Cashier Mr. M. Venkateshwar Rao who accepted the cash and permitted the cashier to leave the bank premises. If there was a shortage of cash either the cashier Mr. S. Chandra Mohan or Head Cashier Mr. Venkateshwar Rao are responsible. That there was no enquiry or disciplinary proceedings against the said responsible persons. That the respondent have initiated a formal and false disciplinary proceedings against the petitioner having already made up their mind to terminated the services of the petitioner. The respondents have violated all principles of natural justice and acted arbitrarily and Respondent No. 2 awarded punishment of termination of services from the bank vide order letter No. VI-g/1178 dated 17-7-99 and R3 has confirmed the said punishment vide order No. DO:DGM-(SSS):AA:2867/99 dated 30-11-99. The respondents have totally ignored the contents of the exhibits of domestic enquiry in M.E.1, M.E.2, and M.E.8 the first page last para of exhibit M.E.1 reveals that the cashier and Chief Manager are negligent. In spite of that instead of initiating disciplinary proceedings against the cashier and Head cashier the Respondents have framed charges against the petitioner and found him guilty without any legal reasons.

3. It is clear that on 9-1-99 before 3.30 p.m. the Cashier Mr. S. Chandra Mohan has made good the missing amount by paying Rs. 50,000 in the bank. In spite of that by applying coercion and by using undue influence, the R-s and other bank officials obtained the confession statement of the petitioner on 9-1-99 at about 10 p.m. and recovery of Rs. 50,000 is also shown. When the cashier has accepted the responsibility and also paid the cash whereas the question of confession of the petitioner and recovery of

का.आ. 2071.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ओवरसीज बैंक के प्रबंधन के संबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम, न्यायालय हैदराबाद के पंचाट (संदर्भ संख्या 4/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-5-2002 को प्राप्त हुआ था।

[सं.एल-12012/130/2000-आई.आर. (बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 28th May, 2002

S.O. 2071.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 4/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Overseas Bank and their workman, which was received by the Central Government on 27-5-2002.

[No. L-12012/130/2000-IR(B.II)]

C. GANGADHARAN, Under Secy.

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR  
COURT, AT HYDERABAD

## PRESENT :

Shri E. Ismail, Presiding Officer.

Dated the 29th day of April, 2002

Industrial Dispute No. 4/2001

## BETWEEN

Sri S. Sathajiah,  
R/o H. No. 11-147,  
Babu Jagjeevan Ram Nagar,  
Malkajgiri, Ranga Reddy,  
Hyderabad.

Petitioner.

## AND

1. The Branch Manager,  
Indian Overseas Bank,  
M.G. Road, Secunderabad.

2. The Disciplinary Authority,  
Vigilance Department,  
Indian Overseas Bank,  
Central Office, P.B. No. 3765,  
And 763, Anna Salai,  
Chennai.

3. Deputy General Manager/  
Appellate Authority, Indian  
Overseas Bank, Central Office,  
Anna Salai, Chennai.

Respondents

cash again. Exhibit M.E.1 also reveals that the threat of criminal prosecution was imposed on the petitioner and forcibly confession was obtained.

4. Although there was an advice by Mr. S. Ramanathan, Dy. Chief Officer, Regional Office, Indian Overseas Bank to lodge a police complaint and to get register F.I.R. vide Exhibit M.E.8 R1 has not lodged any complaint with the police as on today. That itself is an indication that the petitioner is not committed in theft and the alleged theft is nothing but drama played by R-1 and made successful by R-1 and R-2 when a cognizable offence is found by any citizen, it is prime duty of the every citizen to lodge a complaint with the concerned police. That on the alleged offence of theft the respondents terminated the services of the petitioner without lodging any complaint with the police. The respondents did not have any jurisdiction to frame charge sheet or to impose punishment under Sec. 17.5 (d) and 17.5(j) of the Bipartite settlement. They have relied on confession. No recovery Panchanama is drafted to show that at the instance of the petitioner only the alleged stolen amount of Rs. 50,000 is recovered from vouchers room. Hence, there is absence of valid recovery. That before the ALC(C), they stated that they have lodged a complaint with the police on 9-1-99. But, they have failed to furnish the F.I.R. number and C.C. number, name of the police station, court etc.

5. The petitioner is quite innocent and after completion of his duty on 8-1-99 he went to his house as usual. It seems to safeguard the Cashier and Chief Cashier, the innocent petitioner has been implicated by the respondent. Hence, the respondent may be directed to reinstate him with all attendant benefits.

6. The Respondent management filed a counter stating that the performance of the petitioner in the respondent bank was just average. It is true that the bank issued a charge sheet to the petitioner on 20-2-99. He was working as cash peon at M.G. Road branch, Secunderabad. He has committed several acts of commission and omission which were prejudicial to the interest of the bank.

7. On 8-1-99 Mr. K. Chandra Mohan, Cashier of the said branch had inadvertently kept Rs. 50,000 (100 notes of Rs. 500) in the drawer inside the cash cabin. Without handing over the section to the Chief Cashier Mr. M. Venkateshwar Rao at the close of the business hours and later left the premises when the cash shortage of Rs. 50,000 was noted by Chief Cashier Mr. M. Venkateshwar Rao, Cashier was called to the bank but cash could not be traced. Cash shortage was accounted by debiting to suspense account and later Mr. S. Chandra Mohan made good amount to the bank. The petitioner was working as the cash peon in the above branch. On 8-1-98 he entered the cash cabin after the cashier had left the bank and had stolen this section of Rs. 500 containing Rs. 50,000 left inadvertently by the Cashier. By his acts, the petitioner had caused damage to the property of the bank and its customers and thereby committed gross misconduct within the meaning of para 17.5(d) and 17.5(j) of the Bipartite settlement dated 14-12-86 between the bank and its workmen as amended upto date. The Cashier, Head Cashier were being careful in keeping the cash were awarded penalty of warning by the disciplinary authority. That was proved beyond all reasonable doubt in the enquiry that

the petitioner alone who had stolen the said cash. Even assuming that no police complaint was lodged it cannot justify the serious misconduct committed by the petitioner in having stolen cash of Rs. 50,000 and misappropriating the same. In view of the voluntary confession of the guilt of the petitioner the criminal action was not vigorously pursued. The Respondent bank has chosen to take departmental action. In doing so, the respondent bank had only followed the provisions contained in Bipartite settlement. Though petitioner voluntarily admitted his guilt and gave the statement, the petitioner not only confessed to have stolen and misappropriated the money from the drawer, but also restored the stolen cash. The amount of Rs. 50,000 stolen and misappropriated by the petitioner was voluntarily paid back by him and hence no Panchanama was necessary for such recovery. That the Hon'ble Supreme Court in a decision reported in 1998 III LLN 89, Union of India Vs. Viswamohan Bhat and also decision reported in 1996 II LLN 881, Municipal Committee, Bahadurgarh Vs. Krishnan Behari and other that bank employees should maintain absolute integrity, devotion to duty and for any act of misappropriation by bank employees appropriate punishment will only be dismissal from bank services. The petitioner was found guilty of serious charges and was therefore rightly discharged from Bank's service and therefore the Bank cannot take back him who was guilty of moral turpitude. Hence, the petitioner is not entitled for any relief.

8. That the Court by an order dated 4-10-2001 held that the domestic enquiry is valid.

9. Then the petitioner filed I.A. 21/2001 requesting that he wants to lead evidence. This Court by an order dated 12-12-2001 dismissed the I.A. quoting sec. 11A which reads thus : "Provided that in any proceeding under this section the Labour Court, Tribunal or National Tribunal, as the case may be, shall rely only on the materials on record and shall not take any fresh evidence in relation to the matter." Hence, the Tribunal held that when Proviso to Sec. 11A itself bars taking any evidence. Therefore the petition is dismissed.

10. Agreements were heard on merits. It is argued by the learned Counsel for the petitioner that it is a case where to save the Cashier and the Chief Cashier an attender is roped in and made the sacrificial goat. How is it possible that he should have committed the theft of Rs. 50,000 and the same is made good. Then how Sri Chandra Mohan, the Cashier made good the amount of Rs. 50,000 and it is stated that the amount of Rs. 50,000 was stolen and misappropriated by the petitioner and he voluntarily paid back and hence, no Panchanama was necessary for such recovery and what was the punishment that was meted out to the Cashier and Head Cashier against whom also (as per page 3 of the counter) disciplinary proceedings were initiated although Sri Chandra Mohan, Cashier and Sri Venkateswara Rao, Head Cashier for not being careful in keeping cash and they were awarded penalty of warning by the Disciplinary Authority and what is the evidence that is before the Court or before the Enquiry Officer except the alleged confession of the petitioner which he denies. There is no Panchanama or even atleast any proceedings of the recovery of the amount of Rs. 50,000. Then how could he be punished for the alleged theft. It is only camouflage to save the Cashier and the Head Cashier. Further, no



criminal case is booked against the petitioner and the alleged report is only cooked up for the purpose of this case.

11. It is argued by the Learned Counsel for the respondent that this court by an order dated 4th October, 2001 has held that the domestic enquiry is validity held. Once, it is held that the enquiry is validly held then the Court has no option but only to see whether the punishment is in proportion to the misconduct committed. Now, it is well settled by various decisions of the Hon'ble Supreme Court that the charge of misappropriation is a very grave charge and dismissal is the only appropriate punishment. He relies on 1996 LLN page 881 Supreme Court of India where it was held, employee convicted under Sec. 468 of Indian Penal Code in cases involving Corruption there cannot be any punishment other than dismissal. Any sympathy shown in such cases is totally uncalled for and opposed to public interests, amount misappropriated may be small or large it is the act of misappropriation that is relevant. The facts in this cases were that the respondent clerk in Municipality was alleged to have misappropriated Rs. 1548.78 by falsifying the cost. He was prosecuted and convicted under Sec. 409 of Indian Penal Code where the Director of Local Bodies while upholding the correctness of the action, reduced the punishment to stoppage of four increments which was challenged by the Municipality and the Hon'ble Supreme Court allowed appeal filed by the Municipality holding as above.

12. The Learned Counsel for the Respondent relies on (2000) 7 Supreme Court cases page No. 517. That their Lordships were discussing the scope of Judicial review under Sec. 11A of the I.D. act where the charge of misappropriation of case was established in the domestic enquiry and the delinquent employee was dismissed held the Labour Court herein directing his reinstatement with 25% back wages on the ground that his past record was without blemish. In a proved case of misappropriation does not call for any sympathy. He also relied on the Judgement of A.F. High Court 2001(3) ALD 512 (DB) wherein it was held that Conductor in Bus of State Road Transport Corporation removed from service for collecting excess fares from the passengers, Labour Court while agreeing with the finding of guilt interfered with the punishment and set aside the termination on the ground that the amongst misappropriated is meagre, held, when the finding of the guilt is upheld, the Labour Court should not have been interfered with the punishment irrespective of the fact whether the amount found to be misappropriated is small or large. He also relied on (2000) 3 Supreme Court Cases page 324 wherein their Lordships of the Supreme Court held while dealing with the powers of the Labour Court Under Sec. 11A the charge was that the delinquent Driver of U.P. State Road Transport Corporation went in a drunken condition to the Asst. Cashier in the cash room and demanded money from him and on his refusal abused and threatened to assault him, held was a serious charge of misconduct, hence, punishment of removal awarded after the said charge was found proved in the departmental enquiry and held it was not shockingly disproportionate, hence Labour Court's interference by substituting the same; by stoppage of one increment and payment of 50 per cent back wages was capricious, arbitrary and not justified. He also

relied on (2000) 8 Supreme Court Cases page 12 wherein their Lordships held that in domestic enquiry—appreciation of evidence—manner of proof—withholding of some evidence—when not fatal to the finding of guilty in domestic enquiry—Cashier of a bank retaining the excess money given inadvertently by a customer—evidence of two officers of the same bank who were eyewitnesses to the incident conclusively proving the Cashier to be guilty. The delinquent neither adducing any evidence nor anything worthwhile elicited in the cross-examination except that one of the said two witnesses belonged to a rival union. In such circumstances although the bank had not produced all available evidences held, the Industrial Tribunal was not justified in reversing the finding of the guilty reached by the enquiry officer and setting aside the consequential order of dismissal. Interference by Industrial Tribunal not called for. He therefore, prays that the petition is not worth considered at all. And the petitioner here has misappropriated a huge amount of Rs. 50,000 and any sympathy shown by this Court would be uncalled for. Hence, he submits that the reference may be ordered in favour of the respondent.

13. No doubt, this Court by its order dated 4-10-2001 held that the domestic enquiry is validly conducted and findings are given with reasons. The next question is whether this Tribunal is now competent to go into the details about the enquiry and to find out whether the guilt of the petitioner has been proved. No doubt the same yardstick as is required under criminal law may not be necessary and further whether the Tribunal can substitute punishment awarded to him of dismissal. It may be noted that originally there was no Sec. 11A, the Act was amended and Sec. 11A was introduced which reads thus, "Where an industrial dispute relating to the discharge or dismissal of a workman has been referred to a Labour Court, Tribunal or National Tribunal for adjudication and in the course of the adjudication proceedings, the Labour Court or Tribunal or National Tribunal as the case may be, is satisfied that the order of the discharge or dismissal was not justified, it may, by its award set aside of the order of the discharge or dismissal and direct reinstatement of the workman on such terms and conditions if any as it thinks fit, or give such other relief to the workman including the award of any lesser punishment in lieu of discharge or dismissal as the circumstances of the case may require." In this case if the misappropriation of the amount of Rs. 50,000 is proved, the petitioner has no chance and this Court in view of the number of judgements cited supra cannot reduce the punishment once it comes to the conclusion that the petitioner misappropriated Rs. 50,000. Let us examine all the documents and see whether the alleged misappropriation is proved.

14. It may be seen that the petitioner is alleged to have committed theft of Rs. 50,000 on 8-1-99. He is said to have admitted to have been committed the offence and given a statement. Ex. M1 is the suspension order dated 11-1-99. Ex. M2 is the charge sheet dated 22-1-99, Ex. M3 is the request from the petitioner to grant him 15 days time to give reply to the charge sheet. Ex. M4 is dated 5-5-99 to the petitioner who has already kept under suspension as far back 11-1-99 informing him that the enquiry will be

conducted on 21-5-99 on a day to day basis. Ex. M5 is dated 29-5-99 addressed to the petitioner that the Enquiry Report has been enclosed and he is asked to give his remarks. Ex. M6 is the enquiry proceedings from which I find that the petitioner has taken the help of the National Executive Member Sri Rajaramam and Sri. S. Ramanathan is appointed as translator. He has stated that he pleads guilty of the charges where he was shown the letter written by him confessing his guilt and asked whether he stands by the contents of the letter, he said that he stands by it. The preliminary enquiry was conducted by Sri Bhaskar Rao, who was examined as MW1. He was put only one question. Sri Ramanathan was examined as MW2. He was also put only one question. Sri Krishna Murthy was examined as MW3 and he also was put only one question. He did not choose to examine any witness. Ex. M7 is the Presenting Officer's written brief. Ex. M8 is the show cause notice. Ex. M9 is the Enquiry Officer's report. No doubt, the Cashier, Sri Chandra Mohan and the Head Cashier, Sri Venkateswara Rao have not been examined. Not only that in Ex. M10 the petitioner only requested for reduction of punishment. Ex. M11 dated 17-7-89 is the discharge order. Ex. M12 is the appeal. Ex. M13 is the notice of appeal. Ex. M14 is the personal hearing of the Appellate Authority of petitioner. Ex. M17 is the Appellate order. Ex. X1 is the confessional statement and English translation. Ex. M22 is the Cashier's statement. Ex. M24 is the Head Cashier's statement. It may be seen that there would have been some scope in favour of the petitioner if the enquiry was conducted immediately without giving him any chance of thinking about consequences as to what would happen to him. It may be noted that the alleged incident is said to have happened on 8-1-99 and the confessional statement Ex. X1 is given on 9-8-89. He was placed under suspension on 11-1-99. The enquiry is conducted in May, 1999. He had 4½ months to think carefully as to what has happened if really the letter was taken by force and coercion he should have reported the matter to the union. Alas, he has represented in the enquiry and again after more than 4 months he sticks to his verdict that a mistake is happened. Now, turning round and saying that not only the bank officers, the union leaders and all are against him is nothing but an after thought. No doubt, the Cashier and Head Cashier should have been examined but, that does not effect the case of the respondent and they are justified in imposing the punishment of dismissal. Misappropriation cannot be conducted and this is of Rs. 50,000. No doubt, his character may be good it may be momentary lapse as most of the crimes happen at that momentary impulse including other crimes like murder etc. Of course, in a criminal case weightage is given for awarding punishment in the circumstances in which a person commits the crime. Yet he gets punishments and not that he goes free as he has committed the offense in an impulse. Suffice it to say that the Hon'ble Supreme Court in a number of cases has not taken kindly to the sympathy shown to the persons who commit misappropriation. In fact, the Hon'ble Supreme Court holds that such sympathy is unwanted and uncalled for. Hence, the reference is answered as follows and the award is passed as follows : The management of Indian Overseas Bank is justified in terminating Sri. S.

Sathaiah, Ex-Messenger, M.G. Road branch, vide order dated 17-7-99.

Award passed. Transmit.

Dictated to Kum. K. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 29th day of April, 2002.

E. ISMAIL, Presiding Officer

#### Appendix of evidence

Witness examined for the Petitioner:	Witness examined for the Respondent:
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NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

- Ex. M1:—Copy of suspension order dt. 11-1-99
- Ex. M2:—Copy of charge sheet dt. 22-1-99
- Ex. M3:—Copy of lr. from petitioner dt. 1-2-99
- Ex. M4:—Copy of lr. from E.O. to C.S.O. dt. 5-5-99.
- Ex. M5:—Copy of lr. from E.O. to C.S.O. dt. 29-5-99.
- Ex. M6:—Copy of enquiry proceedings dt. 21-5-99
- Ex. M7:—Copy of Presenting Officer's brief dt. 22-5-99.
- Ex. M8:—Copy of show cause notice dt. 2-7-99
- Ex. M9:—Copy of findings report dt. 24-6-99
- Ex. M10:—Copy of proceedings of the personal hearing dt. 16-7-99
- Ex. M11:—Copy of original order of punishment dt. 17-7-99
- Ex. M12:—Copy of appeal filed by the petitioner dt. 22-8-99
- Ex. M13:—Copy of notice on personal hearing dt. 9-9-99
- Ex. M14:—Copy of proceedings of personal hearing dt. 5-10-99
- Ex. M15:—Copy of representation of petitioner dt. 5-10-99
- Ex. M16:—Copy of letter from claimant to the Appellate authority dt. 23-9-99.
- Ex. M17:—Copy of Appellate Order
- Ex. M18:—Copy of Letter from Sri J. Bhaskar Rao dt. 11-1-99.
- Ex. M19:—Copy of investigation report dt. 9-1-99.
- Ex. M20:—Copy of branch letter to RO, Hyderabad, dt. 11-1-99.
- Ex. M21:—Copy of debit cash voucher for Rs. 50000 dt. 8-1-99
- Ex. M22:—Copy of statement of S. Chandra Mohan dt. 8-1-99
- Ex. M23:—Copy of statement of S. Sathaiah



Ex. M24:—Copy of statement of M. Venkateswara Rao 8-1-99

Ex. M25:—Copy of statement of P. Nageswara Rao 8-1-99

Ex. M26:—Copy of statement of S. Sathaiah dt. 9-1-99

Ex. M27:—Copy of statement of S. Sathaiah at 10 PM dt. 9-1-99

Ex. M28:—Copy of police complaint dt. 9-1-99. Documents marked by the Court

Ex. XI:—Copy of confessional statement and its English translation

Ex. X2:—Copy of Judgement of the Hon'ble High Court

Ex. X3:—Copy of Judgement of C.G.I.T., New Delhi in ID No. 27/91.

नई दिल्ली, 28 मई, 2002

का.आ. 2072.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल.आई.सी.ऑफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय हैदराबाद के पंचाट (संवर्ध संख्या 10/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-5-02 को प्राप्त हुआ था।

[सं.एल-17011/17/2000-आई.आर. (बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 28th May, 2002

S.O. 2072.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 10/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Life Insurance Corporation of India and their workman, which was received by the Central Government on 27-5-2002.

[No. L-17011/17/2000-IR (B-II)]  
C. GANGADHARAN, Under Secy.

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL CUM LABOUR  
COURT AT HYDERABAD

PRESENT :

Shri E. Ismail, Presiding Officer.

Dated : 29th day of April, 2002

Industrial Dispute No. 10/2001

BETWEEN

The General Secretary,  
Insurance Corporation Employees Congress,  
1845. GI/2002—20

12-2-826/A/38, Prasanthi Apartments,  
LIC Colony, Mehdiapatnam,  
Hyderabad-500028.

Petitioner

AND

The Branch Manager,  
LIC of India, NTR Nagar,  
Kurnool Road,  
Wanaparthi-509 103.

Respondent

#### APPEARANCES :

For the Petitioner : Sri K. V. Appa Rao, Gen.  
Secretary of the union.

For the Respondent : M/s. E. S. Kumar, Advocates.

#### AWARD

The Government of India, Ministry of Labour by its order No. L-17011/17/2000/IR(B.II) dated 14-4-2001 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the employers in relation to the Management of LIC of India, Wanaparthi (A.P.) and their workman.

#### SCHEDULE

"Is the management of LIC of India, justified in terminating the services of Sri K. Venkata Swamy, Sub-staff, Wanaparthi Branch? Whether the Branch Manager, LIC of India, Wanaparthi Branch is having powers to terminate Shri K. Venkata Swamy, Sub-staff when his appointment was made by the Divisional Manager, LIC of India, Hyderabad? If so what relief he is entitled to receive?"

This reference was registered as Industrial Dispute No. 10/2001 and notices were issued to the parties.

2. Brief facts of the claim statement are : that Sri Venkata Swamy, S/o Sri Balaiah aged 29 years, worked as Sub-staff in LIC Branch office, Wanaparthi is a member of the union. He enrolled himself in employment exchange in Mahaboob Nagar in the year 1979. He was called for interview for the post of Class IV in the year 1995 through employment exchange. He was interviewed along with other called for by the LIC Divisional Office, Hyderabad.

3. By office order reference No. P & IR/474 dated 24-7-95 was given appointment as Sub-staff and posted to Wanaparthi Branch office. He reported to duty on 31-7-1995 at 9:30 A.M. The LIC Divisional Office vide their letter No. P&IR/765 dated 6/15-6-96 informed that his employment shall be governed by the provisions of the LIC of India (employment of Temporary Staff) Instructions, 1993 and the period of employment is limited to the period of pending employment of candidates on regular basis.

4. Subsequently for no reason and without notice of any sort his services were terminated by letter dated 26-6-2000 that he was not permanent sub-staff working in the Wanaparthi Branch. Sanctioned strength for the branch in sub-staff category is six. He was recruited through employment exchange, the mode of recruitment accepted by the Apex Court of

India. Subsequently four more persons, S/Sri M. Ramulau, Ramakrishna, Sreenivasulu and Krishna were appointed in Wanaparthy Branch as sub-staff. All of them were not through employment exchange. That employment notice for recruitment of Class-IV employment in Hyderabad Secunderabad Divisions of LIC of India was issued on 1-10-1991 and the same was not pursued. However the LIC gave another employment notice in the year 1996 replacing 1991 notification, held and examination in December, 1991 and thereafter did not proceed with regular recruitment. As such there is no regularly selected candidates in Class IV vacancies. That a comprehensive reference was made before the Central Govt. Industrial Tribunal, New Delhi, "whether the action of the management of LIC of India in not absorbing Badli/Temporary and part time workman employed in the establishment of LIC after 20-5-1985 is justified? If not, to what relief the workmen are entitled?" Arguments were heard on 31-5-2001 and is pending. That he has filed along with four others claimed before the CGIT and was referred to ALC(C) which ended in failure and hence the reference is in this Tribunal.

5. That Venkata Swamy came into service of LIC of India as per one of the accepted modes of recruitment of V 12 through employment exchange. He worked from 31-7-95 to 26-6-2000. That LIC of India Class III and IV employment of temporary instructions, 1993 the maximum period of engagement is only 120 days. But, he worked almost over five years. Permission was not obtained under Sec. 33 of the I.D. Act from the C.G.I.T. for his removal. That Sec. 25B, 25J, 25M, 25N shall apply to the facts of this case besides Sec. (ra) and item 5 of the Schedule 5 of the I.D. Act. The definition of workman covers the petitioner. Hence, the respondent may be directed for absorption/regularization from his duty of joining at Wanaparthy branch office and financial reliefs.

6. A counter was filed stating that Sri Venkata Swamy was appointed as temporary staff under LIC of India (Employment of Temporary Staff) Instructions, 1993 and he did work from 31-7-95 to 26-6-2000 in a permanent sub-staff post on regular basis. Although LIC of India Staff Regulations, 1960 does not apply in the case of temporary sub-staff appointment (Regulation 8) is made applicable in the case of this appointment. He is under a authority conferred under Regulation 8 of LIC of India Regulations, 1960 it has been reiterated in the letter of appointment issued to Venkata Swamy. Hence, the services of Sri Venkata Swamy were terminated as per instructions given in his appointment letter dated 31-7-95 and also in the subsequent letter dated 8-9-95 issued by Divisional Office, Hyderabad. The said post was filled up on regular basis by Smt. Manikyamma who is a permanent sub-staff appointed on regular basis. That the recruitment could not be completed although notification was issued in 1991 because of compulsion arisen from the litigants with regard to recruitment of sub-staff. However the Corporation is making compassionate appointment on permanent post which for all practical purposes takes the effect of regular appointment. Hence, Venkata Swamy was removed when Smt. Manikyamma was appointed on compassionate grounds.

7. It is true that the C.G.I.T. proceedings concerned to the temporary employees but has got nothing to do with the recruitment and termination of Sri Venkata Swamy. He was referred by employment exchange for employment on temporary basis. The same was mentioned to him in the letters. Sec. 33 of the I.D. Act cannot be invoked in this case as it is not the bounding duty of the Corporation to obtain permission. All the clauses mentioned in the I.D. Act can not be invoked as Sri Venkata Swamy was absorbed on contract employment. He also does not come under the definition of "workman", as defined under Sec. 2A. The termination by Branch Manager, Wanaparthy is justified. Hence, he is not entitled for any relief.

8. A rejoinder was filed by petitioner as the Regulation 8 is applicable to whole time salaried employees. That there is no provision of her appointment on compassionate grounds. The appointment of Manikyamma was on compassionate grounds. Therefore irregular and ultra vires. That Schedule I makes it clear that no order of termination can be made by an authority subordinate to the appointing authority. For terminating him it was given by the Branch Manager who is subordinate to the Divisional Manager and therefore has no effect. That Regulation 8(2) disables any temporary employer to claim that absorption or regularization. The contention of regularization prohibits regularization of daily wages employees is not tenable as it is inconsistent with Sec. 48(2)(cc) and 48(2)(J) that this is unfair labour practice. That I.D. No. 27 of 1991 the orders were pronounced by Hon'ble Justice K. S. Srivastava field in para 70. It was held by the Hon'ble Justice that temporary badli part time worker employed after 28-5-85 should be given absorption in their jobs.

9. Sri Venkata Swamy examined himself as WW1 and deposed that as per Ex. W1 letter he reported that the original appointment was for 85 days, of which letter is Ex. W2 that he used to sign in the muster roll. Ex. W3 is the dismissal order. After his dismissal Smt. Manikyamma was transferred from Divisional Office to Wanaparthy in his place. Manikyamma was appointed in the year 1999. During the conciliation proceedings vacancies arose i.e., liftman, Watchman and Driver. The conciliation before the ALC(C) were ended in failure and failure report is Ex. W4. That he is a SC candidate.

10. CROSS-EXAMINATION : He deposed that he is a member of Insurance Corporation Employees Congress. He has not filed any document regarding interview conducted by the committee of the respondent. He does not know whether Manikyamma was appointed in his place as a regular employee on compassionate grounds. He does not know how Ramakrishna and others were recruited but they joined after him. He does not know whether they joined due to Court order.

11. The respondent examined Sri M Chandra Shekhar as MW1. He deposed that Venkata Swamy was clearly informed that the post is temporary. Ex. M1 is the authorization letter issued by the respondent to him. Ex. M2 is the certified copy of the temporary recruitment instructions for sub-staff, 1993. The appointment letter issued to Venkata Swamy is Ex. W6 which contains reference of Ex. M2. Subsequent to appointment letter another letter was

issued vide Ex. M3 to Venkata Swamy. The said letter speaks it clear that the appointment is pending employment of a candidate on regular basis. Joining Report is Ex. M4. The I.D. Act does not apply to this case. In the cross-examination he deposed that the interview was formal. There are no permanent sub-staff at Wanaparthy. Smt. Manikamma was posted to Divisional Office and later transferred to Wanaparthy office. There are number of temporary employees and daily wage workers. Smt. Manikamma was appointed in 1999. He has no idea whether seniority list of temporary candidates is maintained. He denied that he is deposing wrongly.

12. It is argued by the Learned Counsel for the petitioner that actually a reference was pending I.D. 27/1991 before the Central Government Industrial Tribunal, New Delhi which was published and the same was pending when Venkata Swamy was terminated in high handed manner when his juniors were continuing in service. Actually another lady was appointed on compassionate grounds throwing him out of job. Therefore removal of Sri Venkata Swamy is highly illegal when his I.D. was pending at New Delhi. He completed more than 240 days and I.D. Act follows. He joined duty on 31-7-75 continued till 26-6-2000 when his services were terminated and more over the Judgement of the Hon'ble High Court speaks that no direction can be given to continue these persons till the I.D. 27/91 is disposed off by the Central Govt. Industrial Tribunal and now the same has disposed off accordingly. The reference is to be ordered in favour of the petitioner.

13. The Counsel for the respondent argues that as stated by MW1 that he is governed by Regulation 8 of Ex. M5 and Ex. M6. Hence, he was rightly dismissed when regular employees are appointed. He relies on Legal Digest, High Court of Madras page 471 wherein it was held by the High Court of Madras that daily rated workers have no right whatsoever claim regular appointment. He also relied on the Judgement reported in Legal Digest of High Court of Delhi page 456 wherein it was held that the right of enquiry and hearing arises on holding a post. Such a right is not for asking by all and sundry. This position is no more res integra and is fairly well settled by several judgments of Hon'ble Supreme Court of India right from Purshotam Lal Dhingra's case, wherein an employee is not holding a post, he was liable to be sent out on terms of his appointment. He also relied on Legal Digest, October, 2001 page 465 wherein it was held if a person appointed on temporary basis cannot be regularised a daily wager also cannot be regularised. He also relied on Legal Digest January, 2001 page 8 wherein their Lordships of the Supreme Court held where termination of services during period of probation in terms of letter of appointment, Sec. 25 F not attracted. He also relied on Legal Digest Jan., 2000 page 217 wherein validity of the provisions of the LIC Amendment Act, 1981 and the LIC Ordinance 1981 and the rules made on 2-2-1981 could not be said to have infringed article 14 and is also not invalid on the ground of excessive delegation of legislative functions. However, reading of Sec. 48(2c) with 48(2)(cc), means that in respect of the matters covered by the rules of the provisions of the I.D. Act or any other law will not be operative.

Hence, he submits that the termination of the petitioner was in accordance with Ex. W5 and Ex. W6. Therefore, the petition may be dismissed.

16. It may be noted that it is not denied that the petitioner was appointed as watchman on 31-7-95 and continued as such till 26-6-2000 that is for 4 years. Ex. W1 was joining report dated 31-7-95. Ex. W3 is the termination letter dated 26-6-2000 which simply states that—"you have been terminated from services of Sub-staff from our office with immediate effect i.e., from 26-6-2000." Ex. W2 is the temporary appointment letter. Ex. W4 is the failure of conciliation proceedings dated 28-11-2000. Ex. W5 is the employment registration card dated 7-8-2001. Ex. M1 is the letter of appointment issued to Sri M. Chandra Shekhar by the Respondent. Ex. M2 is the certified copy of the temporary recruitment instructions for sub-staff, 1993. Ex. M3 is the letter to petitioner subsequent to his appointment. Ex. M4 is the joining report of the petitioner. It may be seen that the Hon'ble Supreme Court decided that the validity of the provisions of Life Insurance Corporation Amendment Act as the L.I.C. Ordinance, 1981 are infringing Article 14. So it was argued by the Learned Counsel for respondent in 1995, regulations of 1980 also does not infringe Article 14 and therefore Lordships also discussed that the Sec. 48(2c) and 48(2)(cc) means that the respective matters cover rules and the provisions of the I.D. Act or any other law will not be operative. Unfortunately the said regulation is not before me but, that of 1960, but perhaps on the same lines. It may be seen that the petitioner has put in service of almost 4 years have not been appointed on 31-7-95 and dismissed on 26-6-2000.

17. He relied on W.P. No. 429 and 9431 of 1997 of the Hon'ble High Court of A.P. in made almost wherein the Union of India and various others have been made as parties which is marked as Ex. X1. Where his Lordships has referred to a reference before the Central Government Industrial Tribunal, New Delhi in I.D. No. 227/1991 where the reference was as follows: "Whether the action of the management of Life Insurance Corporation of India in not absorbing the badli temporary and part time workmen employed in the establishment of Life Insurance Corporation of India after 20th May, 1985 is justified? If not, to what relief the workmen are entitled?" His Lordships also referred that a scheme was framed by the order of the Hon'ble Supreme Court dated 20th October, 1992 and the scheme was approved by the Hon'ble Supreme Court of India and the employees are governed by regulations framed by the Corporation known as Life Insurance Corporation of India Instructions, 1993. His Lordship further observed that to condone that only the award is passed by the Central Government Industrial Tribunal, New Delhi, badli and other temporary employees should be continued would be nothing but placing premium of the Life Insurance Corporation. Where his Lordships stated that the Central Government Industrial Tribunal, New Delhi has to pass an award. The reference as stated supra was covering all the badli and temporary employees through out India. It has not been brought to my notice whether the said award which has been published also by the Government of India on 22-6-2001 as to what happened to the award and

whether any stay is obtained from Hon'ble High Court of New Delhi, it is marked as Ex. X2. In that award my Learned Colleague has stated and stated that action of the Corporation denying absorption is not justified. I further find that those workman employer after 20-5-85 should be given absorption in their job on same terms and conditions. Therefore similar direction is given with little modification because it has not brought to my notice that the award has been stayed by the Hon'ble High Court and if any such stay is there obviously, in view of the Judgement cited by the respondents the same will apply to this case and automatically there will be stay. But there is no stay granted to the award passed by my Learned Brother on June, 18th, 2001 and published on 22-6-2001 and in this particular case the petitions has put in 4 years of service appointed on 31-7-95 and worked continuously till 26-6-2000. Therefore an award is passed accordingly in terms of the award passed by my Learned Colleague of New Delhi, Central Government Industrial Tribunal in ID No. 27/1991 passed on 18-6-2001 as follows, "The petitioner shall be taken into consideration for absorption as he has become eligible for absorption after having put in 4 years of service and he shall be given appointment as temporary watchman or sub-staff within 30 days from the publication of this award and in due course when regular vacancy arises his date of appointment shall be taken into consideration as 31-7-95 and he be appointed on his being eligible and suitable. However, the petitioner is not entitled for any back wages.

Award passed accordingly. Transmit.

Dictated to Kum. K. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 29th day of April, 2002.

E. ESMAIL, Presiding Officer

#### Appendix of evidence

Witnesses examined for the

Petitioner :

WW1.—Sri G. Venkata Swamy.

Witnesses examined for the

Respondent :

MW1 : Sri M. Chandra Shekhar.

Documents marked for the Petitioner

Ex. W1—Copy of joining report of WW1 dated 31-7-1995.

Ex. W2—Copy of Ir. No. P & IR/1765 dated 6/15-9-1995.

Ex. W3—Copy of termination order dated 26-6-2000.

Ex. W4—Copy of Ir. No. 7A/002/2000E2 dated 28-11-2000.

Ex. W5—Copy of Employment card dated 7-8-2001.

Documents marked for the Respondent

Ex. M1—Lr. of permission to MW1 to give evidence dated 30-1-2001.

Ex. M2—Copy of Cir. No. ZD/793/ASP/93 dated 28-6-1993.

Ex. M3—Copy of Ir. No. P & IR/765 dated 6/15-9-1995.

Ex. M4—Copy of joining report of WW1 dated 31-7-1995.

Documents marked by the Court

Ex. X1—Copy of Judgement of the Hon'ble High Court.

Ex. X2—Copy of Judgement of C.G.I.T., New Delhi in ID No. 27/91.

नई दिल्ली, 28 मई, 2002

का.आ. 2073.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दक्षिणी-मध्य रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बंगलूर के पंचाट (संदर्भ संख्या सी.आर.नं. 30/94) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-05-2002 को प्राप्त हुआ था।

[सं.एल-41012/61/93-आई.आर./डी.यू. (बी-1)]

अजय कुमार, डस्क अधिकारी

New Delhi, the 28th May, 2002

S.O. 2073.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. C.R. No. 30/94) of the Central Government Industrial Tribunal/Labour Court Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of South Central Railway and their workman, which was received by the Central Government on 27-5-2002.

[No. L-41012/61/93-IR(DU/C)(B.I)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT "SHRAM SADAN", III MAIN, III CROSS, II PHASE, TUMKUR ROAD, YESHWANTHPUR, BANGALORE

Dated : 20th May, 2002

PRESENT :

Hon'ble Shri V. N. Kulkarni, B.Com. LLB.,  
Presiding Officer, CGIT-Cum-Labour  
Court, Bangalore.

C.R. No. 30/94

I PARTY :

Shri Ishwar Ramanna Arakeri,  
Krishnapur Oni,

Old Hubli,  
Hubli-580020.  
Advocate—M. S. Anandaramu.

## II PARTY :

The Workshop Personnel Officer,  
South Central Railway Workshop,  
Hubli.  
Advocate—R. A. Daiveekan.

## AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-41012/61/93-IR(DU) dated 28th March, 1994 for adjudication on the following schedule :

## SCHEDULE

“Whether the management of Asstt. Works Manager, South Central Railway, Hubli is justified in removing Shri Ishwar Ramanna Arakeri, Khalasi from service w.e.f. 23-6-1992? If not, what relief the workman concerned is entitled to?”

2. The first party was working with the South Central Railway, Hubli as Khalasi. He was removed from service and therefore, Industrial Dispute is raised.

3. Parties appeared and filed Claim Statement and Counter respectively.

4. The case of the first party is that on 18-3-1981 he joined the Second Party Railway Management as Khalasi at Hubli.

5. It is the further case of the workman that memo was given to him by the management on 4th March, 1989 contenting that the workman remained unauthorisedly absent from duty for 174.5 days during the year 1988. He gave reply and submitted that due to medical problems he could not attend duty. Departmental proceedings were initiated and enquiry was conducted without giving any reasonable and adequate opportunity. No opportunity was given to the workman to defend himself during the enquiry. Charges are vague. He could not attend duties on account of his ill health. The action of the management is not correct. The punishment is not proportionate.

6. The workman approached the Central Administrative Tribunal. The Central Administrative Tribunal after deliberating on the issue in detail, passed an order dated 17-9-1991 quashing the impugned orders on the ground that the report of the Enquiry Officer was not furnished to the First Party Workman. In compliance of the said order he was reinstated back into his original post and the management gave him report of the Enquiry Officer. The enquiry was concluded but the finding is not correct. The workman is married and has a family with school going children. He is suffering financially as he has no other work. The workman has prayed to pass award in his favour.

7. The case of the management in brief is as follows :

8. The main contention of the management is that the workman remained absent from duty for 174.5 days during the year 1988 and he did not submit any explanation to the charge sheet and therefore, enquiry was initiated. The contention of the workman that he was not well cannot be believed because he has not approached the medical authority of Railways.

9. It is the further case of the management that if the first party was genuinely mentally ill and was not in a position to communicate with the administration for his absence, the family members of the first party ought to have approached the officials and explained the case of the first party workman which was not done till the enquiry was conducted.

10. Regarding the enquiry it is said the same is correct and all the allegations made by the workman are not correct. Appeal was rightly dismissed. Management for these reasons and for some other reasons has prayed to reject the reference.

11. It is seen from the records that the management has not examined any witnesses. Some documents are filed by the management. Workman got examined himself at one stage. After the finding on Domestic Enquiry he gave further evidence.

12. It is seen from the records that this Tribunal by its order dated 7th January, 2002 has answered the Preliminary Issue holding that the DE is not Fair and Proper and thereafter the management has not examined any witnesses.

13. I have heard both sides in detail. I have perused all the documents carefully. I have gone through the enquiry proceedings.

14. Admittedly in the instant case the Preliminary issue is answered holding that the Domestic Enquiry is not Fair and Proper. It is seen from the enquiry proceedings that minimum required procedure is not followed and in about half a page the Enquiry Officer has given findings. The Enquiry Officer himself has said in his findings that during the course of enquiry the workman remained absent due to mental depression and medical certificate is enclosed and also said that as per the workman he was then fit to join duty. The fact that the medical certificate is filed is admitted by the Enquiry Officer. The only contention of the management is that as per rules and regulations applicable the workman has not approached the Railway Hospital. Therefore, he is found guilty.

15. After the finding on DE again the management has not examined any witnesses.

16. Against this the workman got examined himself and said that he was removed from service. He further says that he was absent for 174.5 days because he was not well. He gave medical certificates. He says he is unemployed. From the available material the only thing which we could see is that the management has come to the conclusion that the workman remained unauthorisedly absent for 174.5 days and misconduct is proved because he has not approached the Railway Hospital.

17. From the material it is clear that the workman is removed from service just because he has not approached the Railway Hospital as per the rules applicable.

C.R. No. 215/97

18. In my opinion the punishment of removal is very disproportionate. It is stated by the workman that he is unemployed and he has to maintain his family and he is not having any other job. He is now 45 years old.

19. Considering this aspect and the fact that the punishment is disproportionate I am of the opinion that this is a fit case to invoke the provisions of Section 11A of the ID Act. Accordingly I proceed to pass the following Order.

### ORDER

The reference is partly allowed. The Order of removal is set aside and the Second Party is directed to reinstate the workman to his original post with continuity of service and all other benefits. In the given circumstances no back wages are awarded.

(Dictated to PA transcribed by her corrected and signed by me on 20th May, 2002).

V. N. KULKARNI, Presiding Officer

नई दिल्ली, 28 मई, 2002

का.आ 2074.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कर्नाटक बैंक लिमिटेड के प्रबंधन के संबंध में निदेशों और उनके कर्मचारियों के बीच, संबंधों में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचाट (संदर्भ संख्या सी.आर.नं. 215/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-5-2002 को प्राप्त हुआ था।

[सं. एल-12011/41/95-आई. आर. (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 28th May, 2002

S.O. 2074.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. C.R. No. 215/97) of the Central Government Industrial Tribunal-cum-Labour Court, Bangalore as shown in the Annexure in the industrial dispute between the employers in relation to the management of Karnataka Bank Limited and their workman, which was received by the Central Government on 27-5-2002.

[No. L-12011/41 '95-IR(B-I)]

AJAY KUMAR, Desk Officer

### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR  
COURT, "SHRAM SADAN", III MAIN,  
III CROSS, II PHASE, TUMKUR ROAD,  
YESHWANTHPUR, BANGALORE

Dated : 17th May, 2002

### PRESENT :

Hon'ble Shri V. N. Kulkarni, B. Com., LL.B.,  
Presiding Officer,  
CGIT-cum-Labour Court,  
Bangalore.

### I PARTY

The President/General Secretary,  
Karnataka Bank Staff Association,  
No 67, Double Road,  
Bangalore.

### II PARTY

The Asstt. General Manager,  
HR & IR Department,  
Karnataka Bank Limited,  
P.B. No. 716, Kodialbail,  
Mangalore-575003.

### AWARD

1. The Central Government by exercising the powers conferred by clause (d) of Sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-12011/41/95/IR(B-I) dated 10th March, 1997 for adjudication on the following schedule :

### SCHEDULE

"Whether the management of Karnataka Bank is justified in transferred Shri S. Umesh Chand to Hospet from Bangalore w.e.f. 19th April, 1995 and whether it amounts to unfair labour practice? If the management is not justified in its action, to what relief the workman Shri S. Umesh Chand is entitled to?"

2. The first party Union workman, Shri Umesh Chand S. was working with the Second Party Management and he was transferred from Bangalore to Hospet and therefore the Industrial Dispute is raised

3. Parties appeared and filed Claim Statement and Counter respectively.

4. The case of the first party in brief is as follows:—

5. The workman has joined the Second Party Bank on 13-8-1986 and served at various branches and afterwards he was posted to Caveley Road, Bangalore during August 1988. The workman showed interest in the trade union activities while discharging his duties at Wilson Garden Branch of the second party. Details of his activities are given in para 2 of the Claim Statement. He was also on sick leave.

6. It is the main grievance of the workman that he was transferred when he was on sick leave. The action of the management is not correct. Charge sheet was served for having not reported for duty at Hospet Branch. The Management is bound to honour and comply with para 535 of the Sastry Award and not entitled to resort unfair labour practice. Workman for these reasons and for some other reasons has prayed to pass award in his favour.

7. The case of the management in brief is as follows:—

8. The Claim of the first party is not maintainable at all. The workman failed to report for duty at Hospet Branch continuously for 653 days from 29-5-1995 but

subsequent thereto he reported for duties at Hospet Branch on 12-3-97 issued by the management in terms of para 17 of the Bipartite Settlement dated 10-4-89 calling upon the first party to join duty. The first party workman instead of reporting duty has raised this dispute. The conduct of the first party in reporting to duty at Hospet Branch on 12-3-1997 without any demur, as on date of reference there exists "no industrial dispute" for adjudication. The bank has filed Writ Petition and the High Court of Karnataka by its order dated 17-6-1997 has disposed off the petition with a liberty to second party to raise the question of validity of the reference before this Tribunal. In fact there is no Industrial Dispute at all.

9. The main contention of the management is that the transfer order dated 19-4-1995 is in the normal course of administration and the same is legal, valid and justified. There was no victimization at all. For more than 3 years he served at Bangalore. During April 1995 about 63 award staff members have been transferred to various branches in the entire bank including the first party workman in the usual course of administration as such, the transfer effected was bona fide and justified. The first party workman has no legal right and estopped from questioning the impugned transfer order. Repeatedly it is said that there is no victimization. The trade union activities of the workman are not within the knowledge of the second party. The dispute regarding transfer is an individual dispute as such the Karnataka Bank Staff Association had no legal rights to espouse the dispute referred to this Tribunal. The workman is not a protected workman as such he is not entitled to the benefits or privileges that are available to a protected workman under Section 33(3) of the Industrial Disputes Act, 1947. Details are given in para 7 of the Counter.

10. About the selection and appointment of the workman it is stated that the dates are correct. The General Secretary who had raised this dispute is not competent to raise the dispute of transfer of individual workman. All other allegations made by the workman are denied. In fact the workman remained unauthorisedly absent and leave was not sanctioned. The allegations that the workman came to know of the transfer order only at a later stage is not correct. It is submitted that the management has correctly invoked the provisions of Clause 17 of the Bipartite Settlement dated 10-4-1989 and details are given in para 14 of the Counter. Management for these reasons and for some other reasons has prayed to reject the reference. This workman is dismissed by the management and the dispute which is in CR. No. 10/99, the award is passed and the reference is rejected.

11. The first party workman has not established at all that there is victimization by the management

12. It is seen from the connected records of CR. No. 10/99 that along with this workman many other staff were transferred to different places and it is in evidence that the transfer is in routine course and the transfer is as per the rules.

13. Admittedly no workman can claim transfer as his right. It is the duty of the workman to obey the transfer orders unless it is established that the same is mala fide and premature.

14. In the instant case workman has not established that the transfer is mala fide and there is victimization. Taking all this into consideration and in view of the award passed by me in CR. No. 10/99 I proceed to pass the following order :

### ORDER

The reference is rejected.

(Dictated to PA transcribed by her corrected and signed by me on 17th May, 2002.)

V. N. KULKARNI, Presiding Officer

नई दिल्ली, 28 मई, 2002.

का.आ. 2075.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबंध निबंधकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचाट (संदर्भ संख्या आई.डी.-112/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-05-2002 को प्राप्त हुआ था।

[सं. एन-12012/24/96-आई.आर. (बी-1)]

अजय कुमार, ईस्क अधिकारी

New Delhi, the 28th May, 2002

S.O. 2075.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. I.D. 112/97) of the Central Government Industrial Tribunal, Chandigarh, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workmen, which was received by the Central Government on 27-5-2002.

[No. I-12012/24/96-IR(B-1)]

AJAY KUMAR, Desk Officer

### ANNEXURE

BEFORE SHRI S. M. GOEL, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT CHANDIGARH

Case No. ID 112/97

Jog. Raj son of Shri Tara Chand, Resident of Hel Lines Block No. 101/9, Ambala Cantt. Applicant

Versus

Asstt. General Manager, S.B.I. Zonal Office Haryana, Sector-8-C, Chandigarh. Respondent

### APPEARANCES :

For the workman : Shri Dhani Ram.

For the management : Shri Ajay Kohli.



## AWARD

(Passed on 16-5-2002)

The Central Govt. vide notification No. L-12012/24/96-IR(B) dated 25th of March, 1997 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of S.B.I., Chandigarh in terminating the services of Shri Jog Raj temporary guard and retaining his juniors into service is just and legal? If not, to what relief is the workman entitled?"

2. In the claim statement the applicant has pleaded that he was employed by the bank management through employment exchange as security guard and he worked w.e.f. 25-6-89 to 29-1-1990 and his services were terminated by the bank without following the procedure as enumerated in the I.D. Act, 1947. Juniors have been retained and fresh employment were also made but the applicant was not given any opportunity of employment by the bank. Thus the management has also violated the provisions of Section 25-H of the I.D. Act, 1947. He has thus prayed for his reinstatement into service with full back wages.

3. The respondent in the written statement admitted that the workman had worked for 88 days from the period 26-5-89 to 29-1-1990 as badli guard. The applicant was not considered for appointment in the bank as he was not found eligible as per conditions mentioned in the bank circular dated 9-4-1991 and as per this circular those employees who had worked from 1-7-1975 to 31-7-1988, would be considered only. It is also pleaded that the management has not violated any provisions of the I.D. Act and prayed for the rejection of the reference.

4. In evidence the applicant filed his own affidavit as Ex. W1 and also filed discharge certificate, Ex. W2. In rebuttal the management filed the affidavit of R. K. Nagpal as Ex. M1 and also documents Ex. M2 and M3.

5. I have heard the learned representatives of both the parties and have gone through the record and evidence of the case. It is admitted by the workman in his cross-examination that he worked with the management only for 88 days from the period 26-5-89 to 29-1-1990. To prove that any juniors have been retained, the workman has not given any name and where that juniors is working. Similarly it is not disclosed by the workman that any fresh employment was made by the bank and the workman was not given any opportunity for re-employment. It is the workman to prove that any violation has been made by the bank management of Section 25-G and 25-H. It is nowhere mentioned in the claim statement or in the affidavit of the workman nor any name has been given by the workman. In the absence of which it cannot be said that any junior has been retained or any fresh employment was made and the workman was not offered any employment. The rep. of the workman has argued that as per the bank circular dated 9-4-1991, the workman was not given the employment. But on going through the

circular dated 9-4-1991 Ex. M2, it is clearly and specifically mentioned that the employees who had worked w.e.f. 1-7-75 to 31-7-1988 would be considered. Admittedly the workman was employed for the first time on 26-5-1989 so he was not covered under the circular Ex M2 of the bank.

6. In view of the discussions made in the earlier paras, I find no force in the contentions of the learned representative of the workman and thus reference is rejected. Central Govt. be informed.

S. M. GOEL, Presiding Officer

Chandigarh.

16-5-2002.

नई दिल्ली, 28 मई, 2002

का.आ. 2076.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कर्माटक बैंक लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-कम-लेबर कोर्ट, बंगलौर के पंचाट (संदर्भ संख्या सी.आर.-10/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-05-2002 को प्राप्त हुआ था।

[सं.एल-12012/186/98-आई.आर. (बी-1)]

अजय कुमार, हेड अधिकारी

New Delhi, the 28th May, 2002

S.O. 2076.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. C.R. No. 10/99) of the Central Government industrial Tribunal-cum-Labour Court, Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Karnataka Bank Ltd. and their workmen, which was received by the Central Government on 27-5-2002.

[No. L-12012/186/98-IR(B.I)]

AJAY KUMAR, Desk Officer

## ANNEXURE

THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT  
"SHRAM SADAN"

III Main, III Cross, II Phase, Tumkur Road,  
Yeshwanthpur, Bangalore

Bangalore, the 16th May, 2002

PRESENT :

Hon'ble Shri V. N. Kulkarni, B.Com. LL.B,  
Presiding Officer.

CGIT-CUM-LABOUR COURT BANGALORE

C.R. No. 10/99



**I PARTY**

The President,  
Karnataka Bank Staff Assn,  
K.B.S.A.  
Shantinagar,  
Bangalore-560027.

**II PARTY**

The General Manager (Personnel),  
Karnataka Bank,  
H.O. Kodialbail,  
Mangalore-575003.

**AWARD**

1. The Central Government by exercising the powers conferred by clause (d) of sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide order No. L-12012/186/98/IR (B-I) dated 22nd January 1999 for adjudication on the following schedule :

**SCHEDULE**

"Whether the termination of services of Shri Umesh Chand Clerk by the management of Karnataka Bank Ltd, is justified ? If not to what relief the workman is entitled to ?"

2. The first party workman was working with the Second Party Management. He remained absent and the bank treated him that he has voluntarily retired from his service. The workman raised dispute.

3. The first party workman was the Treasurer of the Karnataka Bank Staff Association.

4. The Parties appeared and filed Claim Statement and Counter respectively.

5. The case of the first party workman in brief is as follows:

6. It is the case of the first party that he joined the services of the second party as Probationer Clerk and he was posted at Wilson Garden Branch, Bangalore. He served at various branches. While he was working at Wilson Branch he was engaged in Trade Union activities of Bharatiya Mazdoor Sangh. The Karnataka Bank Staff Association is a registered and recognized Trade Union which is affiliated to the National Organisation of Bank Workers. First party was elected as Treasurer. Management on getting information about the Election of the First Party as Treasurer transferred him to Hospet Branch from Wilson Garden Branch on 19-4-1995. The first party then was on sick leave from 17-4-1995. He was relieved without his consent. On 30-5-1995 when the first party reported to duty he received the transfer order and the relieving order under protest. One Mr. P. Sripathi who was also elected as Joint Secretary was also transferred. However subsequently the second Party re-transferred him to Bangalore from Dubalgundi. He made many representations to continue his services in the Wilson Garden Branch because his transfer was premature and that he is a protected employee but the Second Party has not considered his representation. He raised this dispute.

7. The management issued notice on 15-5-1997 calling explanations for his absence from duty for 1845 GI/2002—21

which the first party has submitted explanation. The management without considering the explanation invoked the provisions of Clause 17 of Bipartite Settlement dated 10-4-1989 and passed an order on 14-6-97 treating him as Voluntarily vacated employment and passed the order to struck off his names from the establishments. The action of the management is unjustified because the said order was passed to overcome the reference in CR, No. 215/97 filed by the Union of the first party workman challenging the transfer.

8. It is again said that the first party is a protected employee being the office bearer of the recognized Trade Union and his transfer itself is opposed to law and the subsequent termination from the services is an act of throttling Trade Union Movements. The management has failed to consider the essential ingredients for invoking clause 17 of the Bipartite Settlement as stated in para 6 of the Claim Statement. There were no Domestic Enquiry before termination. The second party failed to follow the procedure required under clause 17 of the Bipartite Settlement. First party for these reasons and for some other reasons has prayed to pass award in his favour.

9. Against this the case the second party in brief is as follows:

10. The dispute is not maintainable. In fact there is no Industrial Dispute existing between the first party and the second party as on the date of reference and with effect from 14-6-1997.

11. It is true that the workman joined as Probationary Clerk on 13-8-1986. At the request of the workman he was transferred to Bangalore. The first party workman was serving in various branches at Bangalore with effect from 25-8-1988, in the normal course of administration he was transferred to Hospet Branch alongwith many others. First party had no legal right to continue at Bangalore. The workman instead of reporting to the duty at Hospet Branch remained unauthorisedly absent from duty for 653 days from 29-5-1995 till 11-3-1997. Ultimately after issuance of the notice dated 6-2-1997 in terms of para 17 of the Bipartite Settlement dated 10-4-1989 advising the first party to join duty within 30 days from the date of receipt of the notice and intimating that failure to join duty would be deemed as Voluntary vacation of employment of the Bank as per the Clause 17 of the Bipartite Settlement, the first party reported to duties at Hospet Branch without any demur or protest. However, the first party again remained absent from the duty unauthorisedly without prior intimation or prior sanction of leave. Again notice was issued to the workman by Registered Acknowledgement Due on 7-5-1997. The Bipartite Settlement dated 10-4-1989 is quoted in the Counter. The workman in response to the second notice sent a reply dated 1-6-1997 but failed to give satisfactory explanation for his unauthorized absence and further failed to report for duty as required and called upon in the notice.

12. Under these circumstances the second party has taken action as per clause 17 of the Bipartite Settlement and by order dated 14-6-1997 intimated the first party that his name has been struck off from establishment deeming that he had voluntarily vacated his appointment as per Clause 17 of the Bipartite Settlement with effect from 14-6-1977. The required procedure was followed by the management. All the

allegations made by the workman are not correct. The workman is not a protected workman. Details are given in para 10 of the Counter Statement.

13. The second party has not recognized the alleged Karnataka Bank Staff Association as a Trade Union in the bank and further has not recognized the first party as Protected workman. There is no order passed by the Regional Labour Commissioner (Central) or Asstt., Labour Commissioner (Central) holding that the first party is a protected workman under Rule 61 of the Industrial Disputes (Central) Rules 1957. Decision of the High Court of Karnataka in the case of M/s. Canara workshops Vs. Presiding Officer along other reported in 1986 (1) LLJ Page 181 is also quoted. It is true that the first party has raised the dispute before the Asst. Labour Commissioner and consequent to the failure of conciliation, the dispute was referred to this Tribunal for adjudication and the said dispute is pending for adjudication in CR. No. 215/1997. The allegations made by the workman are not correct. The action taken by the management is correct. There is no victimization or an act of throttling trade union movement on the part of the management. There is no necessity to take leave of this Tribunal in CR No. 215 of 1997 before passing the impugned order dated 14th June 1997. Management for these reasons and for some other reasons has prayed to reject the reference.

14. It is seen from the records that the second party management examined one Retired Assistant General Manager in support of its case. He has given detailed evidence saying that the workman was transferred from Bangalore to Hospet in regular course and as per rules. He received the Industrial Dispute challenging the transfer. Various documents are marked in the evidence. First party is not a member of the union. No document is filed by the workman to say that he is a protected workman. The union is not a recognized union. He also says that the workman reported duty on 12-3-1997 at Hospet without any protest and raised the dispute and thereafter he remained absent for 3 months. Therefore, the management invoked the provisions of Bipartite Settlement.

15. Against this the workman got examined himself. His evidence is that he actively got involved in the Staff Association of the Karnataka Bank, which is a registered trade union. Ex. W7 is the Record of registration. He has also said that he is a protected workman as he was elected as Treasurer. He was on sick leave from 17-4-1995 to 30-5-1995. He has given detailed evidence about his transfer. He has further said that the action of the management is vindictive. He speaks about the reference No. 215/97. He further said that that he has not reported duty at Hospet because he was waiting the result of CR No. 215/97. He has replied letter dated 15-5-97 to the management but the management has not considered the same. His absence was treated for 637 days. He says he has no other employment and he is willing to work in the bank. He speaks about the transfer of Secretary, Shri P. Sreepathy.

16. Both sides have filed Written Arguments.

17. I have heard the arguments of both sides. I have considered the evidence of MW1 and WW1. I have read the written arguments filed by the parties. I have read the decisions cited by the parties.

18. It is an admitted fact that CR No. 215/97 is also pending before this Tribunal because the workman has challenged his transfer to Hospet from Bangalore claiming that he was the protected workman and his transfer was mala fide etc.

19. It is also clear from the evidence and the material before me that, immediately after transfer the workman has not reported at Hospet but subsequently he has reported at Hospet. It is in evidence that when he reported duty at Hospet he has not protected his transfer. This is very material because the workman has not opposed the transfer orders but he raised dispute. It is in evidence that his transfer was on administrative grounds along with many other staff. MW1 has stated that transfer was on Administrative basis and he has also stated that CR No. 215/97 is not maintainable. The workman made many representations and the management has suitably replied saying that his transfer cannot be cancelled. Admittedly the workman has not filed any document or the orders of the Regional Labour Commissioner (Central) or Assistant Labour Commissioner (Central) to the effect that he is the protected workman.

20. It is in evidence of the workman himself that his absence was for 637 days. It is stated by the workman in the cross examination that there is no clear letter of the bank saying that it has not recognized the Association. He says in his cross examination that it is true that there is no letter to the effect that he is the protected workman. He further says in his cross examination that he has not produced any letter of the Regional Labour Commissioner (Central) saying that he is a protected workman. He further says that it is true that there is no record to show that all the documents sent are reviewed by the management except the certificate of posting. He says that the present Chairman, Shri Anand Krishnan was the General Manager who made him to write the letter Ex. M4 saying that his transfer will be cancelled. In the very next sentence he says that he has not lodged any police complaint. He admits that he reported duty at Hospet on 12-3-1997 and that was in response to the notice of the management invoking clause 17 of the Bipartite Settlement. In the very next sentence he says that it is true that from 31-3-97 onwards he remained absent and that period leave is not sanctioned. Management again issued notice Ex. M-19 and he replied as per Ex. M-20. He says he has not reported duty though he was keeping good health.

21. With the said cross examination it is clear that the workman was very adamant and has not obeyed the transfer orders. It is a fact that he has raised dispute challenging transfer. It is also a fact that when the management issued show cause notice he reported at Hospet and thereafter continuously remained absent as admitted by him in the cross examination. There is lot of correspondence between the workman and the bank and many of the documents are marked in the evidence.

22. It is seen from the records that on administrative ground along with many other staff the workman was transferred and that is clear from Ex. M-18. The workman has given letter at Ex. M-20 but it will not help the workman at all. The bank has issued notice Ex. M-19.

23. I have considered all the documents carefully and also the evidence but I am of the opinion that the action of the management is correct. In view of the cross examination of the workman referred earlier, it is clear that he remained absent without any reason and the management rightly held that as per Clause 17 of the Bipartite Settlement he voluntarily vacated the employment. The management has followed the required procedure correctly.

24. It is seen from Ex. M4 that there is no consistency in the stand taken by the workman at all for his absence. In Ex. M-4, he says that he cannot report for duty due to domestic problems. In Ex. M4 he says that he is unable to attend office for another couple of days and details of which he will be submitting when he reports back to duty at Wilson Garden Branch and he hopefully is awaiting the cancellation of transfer order. All this would go to show that the workman was very adamant and avoided the transfer by raising dispute and went on corresponding with the bank which is not required at all being the employee of the Bank.

25. I have read the decisions relied by the management. Second Party has relied the following decisions:

- (1) M/s. Canara Workshops Vs. Presiding Officer 1986(1) Labour Law Journal page 181.
- (2) Syndicate Bank Vs. General Secretary, Syndicate Bank Emp. Union 2000(5) Supreme Court Cases page 5.
- (3) G.D. Jala Vs. R.M. of SBI, II(1992) Banking Cases page 308.
- (4) Punjab and Sindh Bank Vs. Sakattar Singh 2001(1) SCC page 214.

26. I have already said that there is not an iota of material to the effect that the workman is a protected workman and keeping in mind the principles held in the decision of M/s. Canara Workshops Vs. Presiding Officer 1986 (1) Labour Law Journal page 181, I am of the opinion that there is no merit in the contention of the workman that permission was required and there is violation of Section 33 of the ID Act.

27. Keeping in mind the principles held in 2000(5) Supreme Court Cases Page 65, Syndicate Bank Vs. General Secretary Syndicate Bank Emp. Union, I am of the opinion that in the instant case the management has rightly held that the workman has voluntarily vacated the employment and there is no necessity to hold an enquiry etc. as alleged by the workman. The workman has also not proved that the management has not allowed him to join the bank. Therefore, the action of the management is correct.

28. Again keeping in mind the principles held in 2000(5) Supreme Court Cases page 65, Syndicate Bank Vs. General Secretary Syndicate Bank Emp. Union and another in Civil appeal No. 4263 of 1999, decided on 25th April, 2000, I am of the opinion that the management has followed the required procedure before invoking the provisions of Bipartite Settlement and served notice on the workman and the bank has rightly held that he has voluntarily vacated the employment.

29. Further keeping in mind the principles held in 2001(1) SCC 214, Punjab & Sind Bank Vs. Sakattar Singh, I am of the opinion that in the instant case the action of the management is correct and there is no victimization as alleged by the workman. It is held by the Hon'ble Supreme Court of India in the above decision that the termination of service in case of unauthorized absence for more than 90 days and material explaining absence produced after expiry of notice period under Clause 16, need not be considered.

30. The workman has relied the following decisions:

- (1) 1990(2) LLJ Page 70
- (2) 1995(1) LLJ Page 417
- (3) 1985 ILR Page 431
- (4) 1992 LIC Page 1831.

31. The facts of the case on hand are quite different from the facts of the decisions relied by the workman.

32. I have given my best consideration to the material before me and I am of the opinion that the action of the management is correct and accordingly I proceed to pass the following Order:

### ORDER

The reference is rejected.

(Dictated to PA transcribed by her corrected and signed by me on 16th May 2002).

V. N. KULKARNI, Presiding Officer

नई दिल्ली, 28 मई, 2002

का.आ. 2077.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण खण्डीगढ़ के पंचाट (संदर्भ संख्या आई.डी.-154/91) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-5-2002 को प्राप्त हुआ था।

[सं.एल-12012/250/91-आई.आर. (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 28th May, 2002

S.O. 2077.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. I.D. 154/91) of the Central Government Industrial Tribunal-cum-Labour Court Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 27-5-2002.

[No. L-12012/250/91-IR(B-I)]

AJAY KUMAR, Desk Officer

## ANNEXURE

BEFORE SHRI S. M. GOEL, PRESIDING  
OFFICER, CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR  
COURT, CHANDIGARH

Case No. I.D. 154/91

General Secretary,  
S.B.I. Staff Congress,  
3135 Sector 22-A,  
Chandigarh.

Applicant

Versus

General Manager (Planning),  
State Bank of India,  
Local Head Office, Sector-17,  
Chandigarh.

Respondent

## APPEARANCES :

For the Workman.—Shri J. G. Verma.

For the Management.—Shri A. K. Khunger.

## AWARD

(Passed on 17-5-2002)

The Central Government vide notification No. L-12012/250/91.IR(B.3) dated 22nd of October, 1991 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of State Bank of India, LHO in not promoting Shri Des Raj to the post of Head Cook w.e.f. April, 1989 was legally just and valid. If not, to what relief the workman is entitled to and from which date?”

2. The Union in claim statement has pleaded that Des Raj Sharma was employed in staff canteen on temporary basis in 1985. He was regularised on 17-5-1986 and confirmed on 17-11-1986. That Central office in pursuance of letter dated 30-4-1986 decided to promote and appoint head cook and head bearer as per seniority which post was also carrying special allowance of Rs. 67 per month plus D.A. etc. It is pleaded that the workman Des Raj was senior most but one Mr. Puran Chand was appointed as head cook ignoring the claim of the workman Des Raj and it is pleaded that the promotion is denied due to the Union activities of the workman. It is prayed that Des Raj may be ordered to be promoted as head cook in place of Shri Puran Chand in view of his seniority.

3. The management in written statement has denied that Des Raj was not promoted due to his union activities. It is stated that in fact the said Puran Chand was working from the very beginning as cook-cum-bearer. It is also pleaded that both Des Raj and Puran Chand were absorbed in permanent capacity on the same day. Other factors were also to be considered. Shri Puran Chand was under matric whereas Des Raj was illiterate. The management prayed that in view of the position explained, reference may be rejected as Des Raj is not entitled to any relief.

4. In evidence the workman Des Raj examined himself and WW1 and also filed his affidavit Ex. W1 in evidence. The management in rebuttal filed the affidavit of Des Bandhu as Ex. M1 and also produced documents Ex. M2 to M4.

5. I have heard the representatives of the parties and have gone through the record and evidence of the case. Ex. M2 is the service sheet of Des Raj. According to this sheet, Des Raj was appointed on 17-5-1986 as cook and his designation was changed to cook-cum-general attendant w.e.f. 26-4-1988. Ex. M3 is the service sheet of Puran Chand who was appointed on the same date i.e. 17-5-1986 as cook-cum-bearer whose designation initially as cook-cum-bearer. Des Raj who is the applicant in the present case was shown to be illiterate whereas said Puran Chand was under matric. The circular Ex. M4 was for all the employees working in the staff canteen and not for these two employees only. The counsel for the management has argued that as per the circular of the head office Puran Chand was the person who was entitled to be promoted as head cook and not Des Raj. Taking into consideration the age of the two also, Puran Chand was older to Des Raj as Date of Birth of Puran Chand was 19-10-1954 whereas Des Raj was born on 20-4-1959. From the record it is very clear that they both were appointed on the same date and the counsel for the workman has failed to show any reason for promotion of the Des Raj over Shri Puran Chand. The learned counsel for the workman has further argued that Des Raj was not promoted due to his affiliation to the rival union. I find no merit in the contention of the learned counsel for the workman. No evidence was brought forward by the workman to show any bias on account of his affiliation with the minority union. Therefore, Shri Puran Chand was rightly promoted on the basis of circular Ex. M4 by the management.

6. In view of the discussions made in the earlier paras, I find no merit in the reference. The same is rejected. The workman is not entitled to any relief whatsoever. The reference is disposed off accordingly. Central Government be informed.

Chandigarh,

Dated : 17-5-2002.

S. M. GOEL, Presiding Officer.

नई दिल्ली, 29 मई, 2002

का.आ. 2078.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबंध निम्नलिखित और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, धनबाद के पंचाट (संबंध संख्या 98/1993) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-5-2002 को प्राप्त हुआ था।

[सं.एल-12012/69/93-आई.आर. (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 29th May, 2002

S.O. 2078.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref. No. 98/1993) of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 28-5-2002.

[No. L-12012/69/93-IR(B-I)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

#### PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 98 of 1993

#### PARTIES :

Employers in relation to the management of State Bank of India, Ranchi and their workman.

#### APPEARANCES :

On behalf of the workman: Shri T. K. Guha, Dy. General Secretary, SBI Employees Union.

On behalf of the employers: Shri S. B. Lall, Authorised representative of the Bank.

STATE : Jharkhand. INDUSTRY : Banking.  
Dated, Dhanbad, the 22nd May, 2002

#### AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-12012/69/93-IR. (B-I) dt. the 16th/18th June, 1993 :

#### SCHEDULE

"Whether the action of the management of State Bank of India in dismissing Shri A. K. Nandi, from service w.e.f. 6-2-1990 is legal and justified? If not, to what relief the workman is entitled to and from which date?"

2. The case of the concerned workman in brief according to W.S. in brief is as follows :—

It has been submitted in the Written Statement that the concerned workman Shri A. K. Nandi, SBI Chakradharpur was illegally and arbitrarily dismissed by the Bank with effect from 6-2-90 with the allegation of forging the signature and obtaining the payment of Savings Bank Withdrawal slip of Rs. 5300 dated 7-6-86 and Rs. 3900 dated 10-6-86 of S/B Account No. 9760 of Sri K. D. Shukla and S/B Account No. 8977 of Shri B. M. Tanti respectively. It has been

submitted that AGM, Region-V, SBI Zonal Office, Ranchi vide their Charge sheet No. DGM/DPS/R/Gent-No-283 dated 3-10-88 has alleged that on 7th June, 1986 the concerned workman prepared forged and obtained payment of Rs. 5300 relating to S/B Account No. 9760 of Sri K. D. Shukla under Charge No. 1. under Charge No. 2 it has been alleged that the concerned workman on 10-6-86 has again forged, prepared and obtained another payment of Rs. 3900 relating to S/B Account No. 8977 of Shri B. M. Tanti. It has also been alleged in the charge sheet that on 10-6-86 the concerned workman also prepared and passed two fraudulent S.B. deposit voucher for Rs. 5300 and 3900 for credit to the account of "Gokul" and "B. M. Mohanty" respectively by debiting/raising a consolidated debit entry for Rs. 9200 on SBI Jamshedpur Branch. It is the contention of the concerned workman that the management held an arbitrary enquiry against him on the basis of the charge-sheet issued and found him guilty without examining the original account holders as witness and also without examining Hand Writing Expert as witness as a result of which he did not get any scope to cross-examine them and for which he did not get any scope to expose what injustice the management committed against him by bringing false allegation through the charge sheet. He submitted that the order of dismissal was illegal, arbitrary and against the principles of natural justice and for which the concerned workman submitted his prayer for passing an Award setting aside the said order of dismissal passed by the management and for reinstatement with back wages.

3. The management on the contrary after filing W.S.-cum-rejoinder have denied all the claims and allegation which the concerned workman asserted in the W.S. The management submitted that as the concerned workman was found directly involved in withdrawing a total sum of Rs. 9200 from two S/B Accounts namely A/C. No. 9760 stood in the name of K. D. Shukla and S/B Account No. 8977 stood in the name of B. M. Mohanty. A Charge sheet was issued against him to which the concerned workman submitted his reply but as the reply given by the concerned workman was far from satisfactory, an enquiry was held and the E.O. in course of holding an enquiry gave full opportunity to the concerned workman to defend his case and the concerned workman defended his case through Mr. A. K. Chaturvedi. It has been further submitted that the opinion of the Hand Writing Expert was obtained before holding enquiry in the instant case as the allegation was very serious in nature and the Hand Writing Expert submitted his report which in course of enquiry was marked as exhibit as the concerned workman did not raise any objection. The E.O. after holding enquiry submitted his report holding the concerned workman guilty of the misconduct in view of the charges brought against him. On the basis of the said report the disciplinary authority found the concerned workman guilty and dismissed him from service. Against that order of disciplinary authority the concerned workman preferred an appeal but the said appeal was dismissed as the Appellate Authority also upheld the findings of the disciplinary authority. It has been submitted by the management that the order of dismissal was neither illegal/arbitrary nor it violated the principles of natural justice. Accordingly the management submitted a prayer for passing an Award rejecting the claim of the concerned workman.

4. The points for decision in this reference are :—

“Whether the action of the management of State Bank of India in dismissing Shri A. K. Nandi from service w.e.f. 6-2-1990 is legal and justified? If not, to what relief the workman is entitled to and from which date?”

#### DECISION WITH REASONS

5. Before taking up hearing of the instant case on merit hearing was made on preliminary point to see if the enquiry done by the E.O. was fair, proper and in accordance with the principles of natural justice or not. The said preliminary issue was decided vide Order No. 27 dated 19-10-2001 and it was held that the E.O. conducted the enquiry fairly and properly and also in accordance with the principle of natural justice. Therefore, at this stage there is little scope to discuss further in details of the case on this point.

6. Points which are to be considered is if the charge which was brought against the concerned workman had duly been established by the management against the concerned workman and if so if the punishment inflicted upon the concerned workman was according to the principle of natural justice.

7. It is seen that the management has brought two fold charges against the concerned workman for forging the signature and obtaining payment of S/B withdrawal slips of Rs. 5300 dated 7-6-86 and Rs. 3900 dated 10-6-86 of S/B Account No. 9760 of Shri K. D. Shukla and S/B Account No. 8977 of Shri B. M. Tanty respectively. It has been further alleged in the said charge sheet that on 10-6-86 the workman concerned has placed and passed two fraudulent S/B deposit voucher for Rs. 5300 and Rs. 3900 for credit to the account of “Gokul” and “B. N. Mohanty” respectively by debiting/raising consolidated debit entry for Rs. 9200 on SBI, Jamshedpur Branch. The charges are as follows :—

Charge No. (i) :

“That while you were working at your Chakradharpur Branch, on 7-6-86, a Savings Bank withdrawal form dated 7-6-86 for Rs. 5300 relating to S/B Account No. 9760 of Sri Krishan Dutta Shukla, was prepared by you. The signature of the account holder Shri Krishan Dutta Shukla appearing on the aforesaid withdrawals form was allegedly forged by you. You then passed the aforesaid fraudulent withdrawal for payment without posting it in the respective account. Thereafter, you obtained the payment of the aforesaid fraudulent withdrawal amounting to Rs. 5300.

On 10-6-86 you prepared and passed a fraudulent S/B Credit voucher dated 10-6-86 for credit to S/B Account No. 9760 of “GOKUL” for Rs. 5300 by raising a fraudulent consolidated debit entry for Rs. 9200 on our Jamshedpur Branch through Branch clearing General Account i.e. Rs. 5300 for “GOKUL” and Rs. 3900 for “B. N. Mohanty.”

S/B Account No. 9760 relates to Shri Krishan Dutta Shukla and not for “Gokul”. “Gokul’s

S/B Account No. is 7542.” The fraudulent S/B Credit voucher was neither posted in S.B. Account No. 9760 nor in S/B Account No. 7542. On 7-6-86 and 10-6-86 the fraudulent withdrawal dated 7-6-86 for Rs. 5300 and the fraudulent S/B Credit Voucher dated 10-6-86 for Rs. 5300 were written in the Day Book which were checked by you.”

Charge No. (ii) :

“That while you were working at our Chakradharpur Branch on 10-6-86 a S/B withdrawal form dated 10-6-86 for Rs. 3900 to S/B Account No. 8977 of Sri Bendi Madhab Tanty was prepared by you. The signature of the account holder Shri Beni Madhab Tanty appearing on the aforesaid withdrawal form was allegedly forged by you. You then posted the aforesaid fraudulent withdrawal form in the respective account and also passed the same for payment. Thereafter, you obtained the payment of the aforesaid fraudulent S/B Credit Voucher dated 10-6-86 10-6-86. You prepared and passed a fraudulent S/B Credit Voucher dated 10-6-86 for credit to S/B Account No. 8977 of Shri B. N. Mohanty by raising a fraudulent consolidated debit entry for Rs. 9200 on our Jamshedpur Branch through Branch Clearing General Account (i.e. Rs. 3900 for B. N. Mohanty and Rs. 5300 for Gokul. Knowing that S/B Account No. 8977 relates to Shri Beni Madhab Tanty and not for B. N. Mohanty you have still posted the voucher is Shri Beni Madhab Tanty’s account

You have thus forged the aforesaid documents and fraudulently encashed Bank’s money thereby involving the Bank in a financial loss to the extent of Rs. 3900.”

The allegation which has been brought against the concerned workman is for making fraud of Rs. 5300 on 7-6-86 on S/B Account No. 9760 standing in the name of K. D. Shukla and Rs. 3900 on S/B Account No. 8977 standing in the name of B. M. Tanty dated 10-6-86 by way of preparation of the withdrawal forms forging the signature of the depositors, passing out for payment himself evading posting of the vouchers in the respective transaction sheet and obtaining payment therein in cash himself. Further with a view to square up the debit entry of Rs. 5300 the concerned workman has raised two fictitious credit entry on 10-6-86 and prepared fictitious debit vouchers of Rs. 9200 for branch clearing general account raised on the Jamshedpur Branch. It is the specific allegation of the management that the concerned workman passed for payment without posting in the relative S/B transaction sheet, forged the depositors signatures and thereafter received payment in cash on the pretext of depositors illness and thereafter to evade his misdeed be prepared a debit transfer voucher for Rs. 9200 and passed the fictitious debit voucher alongwith two debit vouchers. He also did not post the credit voucher for Rs. 5300 and Rs. 3900 in any S. B. transaction sheet. The management in order to substantiate the allegation in question examined PWs who were the then Branch Manager of the Bank and the Cashier. These two PWs during their evidence recorded by the

E.O. categorically identified the signature of the concerned workman in the withdrawal slips and vouchers as that of the concerned workman. During cross-examination specific question was put to PW-1 on this issue but PW-1 clearly clarified how he was accustomed with the signature of the concerned workman. No incriminating evidence is forthcoming challenging the evidence of PW-1 in this regard. PW-2 is the Cashier, who during his evidence submitted that he paid the cash amount to the concerned workman on good faith as he was his colleague and as he disclosed that the original account holders due to illness did not turn up. Considering the evidence of PW-1 and PW-2 and considering all materials on record I find no dispute to hold that through withdrawal form a sum of Rs. 5300 was withdrawn on 7-6-1986 from the S/B Account of K. D. Shukla while on 10-6-86 a sum of Rs. 3900 was withdrawn through withdrawal form from the account of B. M. Tanty. It has been specifically alleged by the management that the said withdrawal was duly passed for payment by the concerned workman while he was officiating as J.N.G.S.I. at the material time and because of his elevated posting he not only was directed to perform the clerical work of writing the SBI day books and cash books but also was entrusted to check those registers. The management alleged that taking the opportunity of his dual roll entrusted him he committed fraud, charges of which were brought against him. The management further alleged that the concerned workman in the withdrawal slip not only forged the signature of the depositor but also passed the same for payment evading posting of the voucher in the respective transaction sheet and obtaining payment thereof in cash himself through cashier who paid the cash amount to him on good faith. PW-2 i.e. the cashier in course of his evidence before the E.O. clearly mentioned under which circumstances he paid the cash without obtaining signature of the account holder. It has been further alleged that as a contra to this transfer credit entry the concerned workman prepared one fictitious debit voucher for Rs. 9200 of Branch clearing account raised on the Jamshedpur Branch though the concerned workman through his representative denied the fact. In this connection the management relied on the opinion of the Hand Writing Expert and the Hand Writing Expert in his report categorically submitted that S/B withdrawal form for Rs. 5300 dated 7-6-86 of account No. 9760 had the initials of the same person who made the initial in folio 50 of the Attendance Register against the name of Shri A. K. Nandy. The initials of the withdrawal form marked as Q. 11 and Q. 12 and also body writing of the withdrawal form were in the hand writing of the person who had written and initialled four withdrawal forms of account No. 005. He further opined that the signature marked as Q. 10 on the face and the signature marked as Q. 13 on the back of the withdrawal form for Rs. 5300 dated 7-6-86 of account No. 8977 was written and initialled by the same person who had written the four withdrawal forms of account No. 0005. The debit and credit entries in the ledger sheet of account No. 8977 of Rs. 3900 and Rs. 4000 and the initials along with them were written by the same person who had written four withdrawal forms of account No. 005. The credit voucher of Rs. 5300 dated 10-6-86 of account No. 8977 was written and initialled by the same person who had written four withdrawal forms of account

No. 0005. The initials on the face of the voucher for Rs. 5300 dated 10-6-86 marked as Q. 2 had been made by the same person who had written withdrawal form of the account of No. 0005 and tally with the initials of A. K. Nandy on folio of page No. 50 of the Attendance Register. In this regard Hand Writing Expert gave his reason too. PW-1 during his evidence identifying the initials that of the concerned workman submitted that he not only forged the signatures of the account holder but also withdrew the amount in question without their knowledge. He also did not debit the amount in their account and for which it was not possible on the part of the account holders to get the knowledge of such misdeeds, done by the concerned workman. The management did not accordingly consider necessary to examine those two account holders in the instant case. From the evidence of PW-2 it transpires clearly that the concerned workman took the amount in question in cash from him taking the plea that the account holders could not turn up due to their illness. This part of evidence was not challenged by the defence at the time of his cross-examination. Accordingly I do not find any reason to disbelieve PW-2 about handing over the amount in question to the concerned workman particularly when it has not been exposed that he had any enmity with the cashier who with a view to take revenge against him made a false statement. The concerned workman also had the scope to examine the account holder with a view to get support of their claim to the effect that the amount in question had been actually withdrawn by them. But he also did not consider necessary to examine them. There is also no reason to disbelieve PW-1 i.e. the Branch Manager who in course of his evidence identifying the signatures of the concerned workman submitted that it was he who by forging the signatures of the account holders in the withdrawal form withdrew the amount in question. I have carefully examined the evidence of the witnesses, I have failed to find out any incriminating statement which appears to be contradictory in relation to the charges brought against the concerned workman. Considering all the documents in question and also considering the evidence of the witnesses I find sufficient reason to believe that the concerned workman not only forged the signature of the account holders but also passed the vouchers for payment as he was at that time in dual charge. It is seen that misusing his power and forging the signature the concerned workman withdrew the amount in question with a view to grab the same. After careful consideration of all the documents in question including the evidence of the witnesses I have failed to find out an iota of evidence relying on which there is scope to say that the charges which have been brought against the concerned workman by the management are false and fabricated. I, therefore, hold that the enquiry officer did not commit any illegality in holding the concerned workman guilty of the misconduct in view of the charge brought against him.

8. Now the question is whether the concerned workman deserve any lesser punishment instead of the order of dismissal passed by the disciplinary authority for his finding him guilty of the misconduct in view of the charge brought against him. It is seen that the concerned workman was a responsible employee in a public sector undertaking. Accordingly minimum integrity was expected from him particularly when the reputation of the concern was very much depended on



him. It is seen that for his personal gain the concerned workman did not hesitate to forge the signature of the account holders with a view to withdraw the amount in question. It is further seen that he also influenced the cashier being the Passing Officer to pay the amount to him in cash taking false pretext. Therefore, there is reason to believe that retention of such employee in a Bank which is to be considered as a sensitive working place is to be considered as very injurious for the interest of the Bank itself. As such I do not find any reason to interfere with the order of the dismissal passed by the disciplinary authority against him. I must say that it was appropriate order passed by the disciplinary authority for the interest of upkeeping the reputation of the Bank in question and also for public interest. I cannot say in any way, that the order of dismissal passed by the disciplinary authority against the concerned workman has violated the principles of natural justice. In the result, the following Award is rendered :—

“The action of the management of State Bank of India in dismissing Shri A. K. Nandy, from service w.e.f. 6-2-1990 is legal and justified. Consequently, the concerned workman is not entitled to get any relief.”

B. BISWAS, Presiding Officer

नई दिल्ली, 29 मई, 2002

का.आ. 2079:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स इण्डियन आइरन एंड स्टील कं. (आई.आई.एस.को.) के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II धनबाद के पंचाट (संदर्भ संख्या 139/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-5-2002 को प्राप्त हुआ था।

[सं.एल-20012/18/2001-आई.आर. (सी-I)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 29th May, 2002

S.O. 2079.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 139 of 2001) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Indian Iron & Steel Co. and their workman, which was received by the Central Government on 28-5-2002.

[No. L-20012/18/2001-IR(C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL (NO. 2) AT  
DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act, 1947.

Reference No. 139 of 2001

PARTIES :

Employers in relation to the management of IISCO. and their workman.

APPEARANCES :

On behalf of the Workman.—Shri N. G. Arun, Authorised Representative.

On behalf of the Employers.—None.

STATE : Jharkhand. INDUSTRY : Coal.  
Dated, Dhanbad, the 6th May, 2002

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/18/2001 C-I dated, the 30th April, 2001.

SCHEDULE

क्या राष्ट्रीय को. मजदूर संघ की आई आई एस सी को के प्रबंधन से मांग कि श्री बी. ई. रेड्डी, हौलेज खलासी को वर्ष 1990 से टी. एण्ड एस. ग्रेड 'सी' में पदोन्नत किया जाये तथा उसके अनुरूप वेतनमान इत्यादि किया जाये विधि सम्मत, उचित एवं सही है? यदि हां तो कर्मकार किस लाभ के पात्र हैं?

2. In course of hearing of the instant dispute the authorised representative for the concerned workman by filling a petition submitted to pass a 'No dispute' Award in the instant reference as the dispute in question has since been settled and the demand of the concerned has been fulfilled by the management. No one appeared on behalf of the management. Heard the authorised representative on the said petition. Since the question relating to the demand of the concerned workman has been settled and I consider there remains nothing to be adjudicated. Under such circumstances, a 'No dispute' Award is rendered and the reference is disposed of on the basis of 'No dispute' Award presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer.

नई दिल्ली, 29 मई, 2002

का.आ. 2080:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 62/1996) को प्रकाशित करती है जो केन्द्रीय सरकार को 24-05-2002 को प्राप्त हुआ था।

[सं. एल-20012/33/95-आई.आर. (सी-1)]

एस.एस. गुप्ता, अवर सचिव



New Delhi, the 29th May, 2002

S.O. 2080.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 62 of 1996) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 24-5-2002.

[No. L-20012/33 95-IR(C-1)]  
S. S. GUPTA, Under Secy.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

#### PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 62 of 1996

#### PARTIES :

Employers in relation to the management of  
Sijua Area of M/s. BCCL and their work-  
man.

#### APPEARANCES :

On behalf of the Workman.—None.

On behalf of the Employers.—None.

STATE : Jharkhand. INDUSTRY : Coal.

Dated. Dhanbad, the 8th May, 2002

#### AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/33/95-I.R.(Coal-1), dated, the 14th May, 1996.

#### SCHEDULE

"Whether the demand by the union is justified that the management of Loyabad Coke Plant of M/s. BCCL has discriminated against Sri Vijay Dusadh by not providing employment regularisation? If so, to what relief is the workman entitled to?"

2. The case of the concerned workman according to W. S. submitted by the union in brief is as follows :—

It has been submitted that the concerned workman along with 30 delisted casual wagon loaders worked continuously under the management from 1973 to 1976 at Loyabad Coke Plant. Thereafter as the matter for regularisation of the services of these 31

delisted casual wagon loaders was taken by the union, the management in the year 1980 decided to enlist all delisted casuals who had put in 75 days attendance during the years 1973, 1974, 1975 and 1976.

3. It has been alleged that the management though considered his employment of 30 workers did not agree to give employment to the concerned workman due to non-submission of relevant papers relating to his credentials. It has been further alleged that the concerned workman through union submitted all connected papers on 3-6-93 but the management did not give any importance to it arbitrarily and illegally.

4. It has been submitted that the concerned workman during the year 1988-89 was away to his native village for his long treatment. However, he submitted all papers relating to his claim in the year 1990 but as those papers were not sufficient to prove his claim for employment he was asked by the management to file fresh particulars in due course of time. It has been submitted that the concerned workman again fell ill and after his recovery submitted all papers in support of his claim on 3-6-93 which was not looked into by the management.

5. It has been alleged that the decision of the management not to consider his claim was not only arbitrary but also against the principles of natural justice and for which the concerned workman raised an industrial dispute before the ALC(C), Dhanbad which ultimately resulted reference to this Tribunal. The concerned workman accordingly has prayed for passing an Award directing the management to provide him employment.

6. Management on the contrary after filing W.S.-cum-repplier have denied all the claims and allegations which the concerned workman/sponsoring union asserted in the W.S.

7. Management submitted that as per decision though employment was given to 30 workmen the case of the concerned workman could not be considered as he submitted defective particulars. Management further submitted that the concerned workman was directed to submit fresh papers in support of his claim within 15 days for consideration of his employment, medical examination and verification of his character through Police authority but as he failed to submit the required documents within the stipulated period he was disqualified for his employment.

8. They admitted about raising Industrial dispute over this issues by the sponsoring union before the ALC(C), Dhanbad but in course of hearing the Dy. C.M.E. Loyabad Coke Plant by submitting a report made it clear why and under which circumstances the case of the concerned workman could not be considered.

9. The management submitted that the concerned workman as per decision was to submit his required documents for consideration of his employment in the year 1988, but instead of doing so he raised this dispute in the year 1993 i.e. after a lapse of five years and for such long delay he did not consider necessary to assign any reason. Accordingly the

management submitted that the demand of the concerned workman is a stale demand and for which he is not entitled to get any relief according to his prayer.

10. The points for consideration is this reference are :—

“Whether the demand by the union is justified that the management of Loyabad Coke Plant of M/s. BCCL has discriminated against Sri Vijay Dusadh by not providing employment/regularisation? If so, to what relief is the workman entitled to?”

#### Decision with Reasons

11. It is seen that inspite of giving repeated chances the concerned workman did not consider necessary either to appear before the Tribunal or adduce evidence in support of his claim. Accordingly the claim of the concerned workman is taken up for consideration suo moto for decision.

12. It is admitted fact that the concerned workman along with 30 other workmen being delisted workers under the management worked at Loyabad Coke Plant from 1973 to 1976. It is also admitted fact that the sponsoring union and other unions took up the matter for regularisation of their services with the management. It is also admitted fact that the management decided to regularise the services of delisted casual wagon loaders who worked for 75 days during 1973, 1974, 1975 and 1976.

13. It is also admitted fact that barring the case of the concerned workman the management provided employment of 30 delisted casual wagon loaders being satisfied with the papers submitted by them.

14. It is the contention of the sponsoring union that the concerned workman for his long treatment could not submit relevant papers in support of his claim within due period. He submitted those papers in the year 1990 but as those papers were not sufficient enough to support his claim for employment he was directed to submit fresh papers to that effect. It has been submitted that the concerned workman again fell ill and for which he could not submit those papers within due time. On the contrary he submitted those papers on 3-6-93 which were not considered by the management.

15. Management on the contrary submitted that though sufficient opportunity was given to the concerned workman to submit requisite papers in support of his employment he did not submit the same. On the contrary he raised an industrial dispute before the ALC(C), Dhanbad. In course of hearing Dy. C.M.E. Loyabad Coke Plant in writing explained the reason why the case of the concerned workman could not be considered.

16. The first point is to be considered is whether at all the concerned workman submitted any paper in support of his claim. Excepting the facts disclosed in the W.S. the concerned workman has failed to produce a single scrap of paper to show that he

submitted relevant papers before the management for consideration of his claim. It has been submitted by the sponsoring union that as the concerned workman was lying ill a long period he submitted his papers in the year 1990, but the management refused to consider his claim relying on the defective papers. He was further directed to submit all papers within 15 days. It is seen that instead of doing so he submitted the papers in the month of June, 1993 i.e. after a lapse of three years. He submitted that as he fell ill again he did not get scope to submit those papers.

17. It is seen that the scheme for consideration of the claim of the workman was opened by the management in the year 1988. It is further seen that though the concerned workman got scope to submit papers in support of his claim that concerned workman did not consider necessary to avail of the same. He has however taken the plea of his ailment but in support of the claim in course of hearing he also did not consider necessary to submit a single scrap of medical papers. Accordingly I find no sufficient ground to accept such contention of the concerned workman. The scheme was opened for a stipulated period. Accordingly it was the bounden obligation of the concerned workman to submit all his papers within the stipulated period. Until and unless the concerned workman by adducing cogent evidence substantiates his reason for delay in filing papers in support of his claim he is not entitled to get any relief. Even the concerned workman has failed to substantiate that though he made delay he submitted those papers.

18. As such after careful consideration of all the facts and circumstances I hold that the claim of the concerned workman is a stale demand and accordingly he is not entitled to get any relief which he has prayed for.

In the result, the following Award is rendered :—

“The demand by the union is not justified that the management of Loyabad Coke Plant of M/s. BCCL has discriminated against Sri Vijay Dusadh by not providing employment/regularisation. Consequently, the concerned workman is not entitled to get any relief.”

B. BISWAS, Presiding Officer.

नई दिल्ली, 29 मई, 2002

का.आ.2081.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार सी. एम. पी. डी. आई. लि. के प्रबंधन के संबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 23/1993) को प्रकाशित करती है जो केन्द्रीय सरकार को 28-5-2002 को प्राप्त हुआ था ।

[सं. एल-20012/49/92-आई.आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 29th May, 2002

## AWARD

S.O. 2081.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 23/1993) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of C.M.P.D.I. Ltd. and their workman, which was received by the Central Government on 28-5-2002.

[No. L-20012/49/92-IR(C-I)]

S. S. GUPTA, Under Secy.

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL (NO. 2) AT  
DHANBAD

## PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section  
10(1)(d) of the I.D. Act, 1947

Reference No. 23 of 1993

## PARTIES :

Employers in relation to the management of  
C.M.P.D.I.L., Ranchi and their workmen.

## APPEARANCES :

On behalf of the workman : None.

On behalf of the employers : None.

STATE : Jharkhand. INDUSTRY : Coal.

Dated, Dhanbad, the 8th May, 2002

B. BISWAS, Presiding Officer

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(49)/92-I.R. (Coal-I), dated, the 22nd March, 1993 :

## SCHEDULE

“Whether the action of the Management of M/s. CMPDI, Ranchi is justified in not regularising the workmen S/Shri Nilkant and 41 others (enclosed as annexure) as per the work performed by them in their respective category/grade of NCWA ? If not, to what relief the workmen are entitled and from what date ?”

2. Soon after the receipt of the order of reference notices were duly served upon the parties. Both the parties appeared before this Tribunal and filed their respective W.S. The reference case then proceeded along its course. Subsequently at the stage of filing documents both the parties abstained from appearing before this Tribunal and taking any steps further in spite of issuance of registered notices to them again and again. It reveals from the record that the instant reference is pending since April, 1993, and since the parties involved in the dispute left taking further steps in spite of getting of ample opportunities, there is reason to believe that they are not willing to proceed further in the reference. Under such circumstances, a ‘No dispute’ Award is rendered and the reference is disposed of on the basis of ‘No dispute’ Award presuming non-existence of any industrial dispute between the parties presently.

Sl. No.	Name	Alleged date of initial employed	Alleged nature of job/duty	Alleged entitled category Grade (NCWA)
(1)	(2)	(3)	(4)	(5)
1.	Sri Nilkant	19-11-82	Drill Helper	Cat-II.
2.	„ Ahmad Ulla	23-2-85	Driver	Cat-V
3.	„ Hira Kol	09-2-80	Chainman	Grade F Monthly
4.	„ Sukhnandan	20-11-81	Chainman	Grade F Monthly
5.	„ Ramjilal Patel	20-11-81	Drill Helper	Cat-II
6.	„ Ramsurat Yadav	27-10-83	Driver	Cat-V
7.	„ Madan Lal	24-12-83	Sweeper	Cat-I
8.	„ Gyandas	14-04-81	Drill Helper	Cat-II

1	2	3	4	5
9.	Shri Ramrao Kissan Gawande	03-01-81	Electrician	Cat-V
10.	„ Abaji L. Patelo	23-05-83	General Mazdoor	Cat-I
11.	„ Dedaji P. Kose	15-10-83	Truck Khalasi	Cat-II
12.	„ Rambhan P. Singru Pawar	06-10-83	General Mazdoor	Cat-I
13.	„ Maheshwar Mukhi	July/83	Store Keeper	Clerical Gr-I
14.	„ Kailash Dubey	Feb/83	Drill Helper	Cat-II
15.	„ R. P. Pandey	Oct/83	Drill Helper	Cat-II
16.	„ B. P. Sati	Oct/83	Drill Helper	Cat-II
17.	„ D. P. Mahapatra	Oct/83	Drill Helper	Cat-II
18.	„ Bholanath Gour	Nov/83	Truck Khalasi	Cat-II
19.	„ Sunil Gour	Nov/83	Truck Khalasi	Cat-II
20.	„ Gourang Borie	Jan/84	Water Carrier	Cat-I
21.	„ Ramesh Ram	13-04-83	Peon	Grade H
22.	„ S. K. Jha	11-04-83	Chainman	Grade F
23.	„ Lexman Dongre	26-09-83	Driver	Cat-V
24.	„ Vijay Murlidhar Salukar	09-12-83	Driver	Cat V
25.	„ Mohan Dhayyalal Russia	16-02-84	Driver	Cat V
26.	„ Goverdhan Paras	26-03-84	Driver	Cat V
27.	„ Binod Kumar Ekka	24-05-83	General Mazdoor	Cat-I
28.	„ Janardhan Yadav	29-06-83	General Mazdoor	Cat-I
29.	„ Ashok Wazekar	04-01-84	General Mazdoor	Cat-I
30.	„ Rajendra Prasad	02-02-83	Chainman	Grade-F
31.	„ Prashant Bhowmik	25-09-83	Drill Helper	Cat-II
32.	„ Shiv Kumar Ram	22-01-82	Watchman	Grade-C
33.	„ C. A. Philip	22-06-83	Clerk/LDC/ASK	Clerk Gr. II
34.	„ Bishal Singh	16-03-83	Water Carrier	Cat-I
35.	„ Om Prakash	03-03-83	Sweeper	Cat-I
36.	„ Bhimrao Deorao Patil	16-04-84	General Mazdoor	Cat-I
37.	„ Bishwanath Thakur	25-09-83	Drill Helper	Cat-II
38.	„ Shiv Kumar Pandit	23-09-83	Drill Helper	Cat-II
39.	„ Laxman	11-02-82	Watchman	Grade-G
40.	„ Md. Zaki Azam	29-04-82	Truck Khalasi	Cat-II
41.	„ K. C. Barik	13-03-80	Watchman	Grade-G
42.	„ N. N. Rana	02-04-80	Drill Helper	Cat-II

नई दिल्ली, 29 मई, 2002

## SCHEDULE

का.आ. 2082.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II, धनबाद के पंचाट (संदर्भ संख्या 107/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-05-2002 को प्राप्त हुआ था।

[सं. एल-20012/58/97-आईआर (सी-I)]  
एम० एस० गुप्ता, अवसर सचिव

New Delhi, the 29th May, 2002

S.O. 2082.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 107/1998) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 24-5-2002.

[No. L-20012/58/97-IR(C-I)]  
S. S. GUPTA, Under Secy.

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL (No. 2) AT  
DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I. D. Act, 1947.

Reference No. 107 of 1998

PARTIES :

Employers in relation to the management of  
M/s. BCCL and their workman.

APPEARANCES :

On behalf of the Workman : Shri S. C. Gaur,  
Advocate.

On behalf of the Management : None.

STATE : Jharkhand. INDUSTRY : Coal.  
Dated, Dhanbad, the 30th April, 2002

## AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/58/97-IR Coal-I, dated, the 13th April, 1998.

“Whether the action of the management of Balihari Colliery of M/s. BCCL in not regularising Sri Tarkeshwar Dubey, Foreman Incharge in T & S Grade-A (inspite of the facts that management has allowed him to work in T & S Grade-A since 7-8-92 and also paid the difference of wages of T & S Grade-B to A is justified? If not, to what relief the concerned workman, Sri Tarkeshwar Dubey is entitled?”.

2. In this reference none of the parties appeared before this Tribunal nor took any steps. Thereafter several adjournments were granted to the parties, and registered notices were issued to them. Subsequently, when the case was fixed Shri S. C. Gaur, learned Advocate for the concerned workman appeared before this Tribunal and submitted a petition praying therein to pass a ‘No dispute’ Award in the instant reference, as the concerned workman is not interested to proceed with the reference. Heard the learned Advocate for the workman. No one appeared on behalf of the management. Under such circumstances, a ‘No dispute’ Award is rendered and the reference is disposed of on the basis of ‘No dispute’ award presuming non-existence of any industrial dispute between the parties presently.

B. BISWAS, Presiding Officer.

नई दिल्ली, 29 मई, 2002

का.आ. 2083.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 49/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-05-2002 को प्राप्त हुआ था।

[सं. एल-20012/78/96-आईआर. (सी-I)]  
एम.एस. गुप्ता, अवसर सचिव

New Delhi, the 29th May, 2002

S.O. 2083.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 49 of 1997) of the Central Government Industrial Tribunal II, Dhanbad, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 24-5-2002.

[No. L-20012/78/96-IR(C-I)]  
S. S. GUPTA, Under Secy.

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 49 of 1997

**PARTIES :**

Employers in relation to the management of Barora Coal Washery of M/s. BCCL and their workman.

**APPEARANCES :**

On behalf of the workman : None.

On behalf of the employers : Shri R. N. Ganguly, Advocate.

State : Jharkhand Industry : Coal.  
Dated, Dhanbad, the 6th May, 2002

**AWARD**

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/78/96-I.R.(C-D), dated the 3rd April, 1997.

**SCHEDULE**

"Whether the demand of the Union for referring Shri Ramashish Nonia, Tyndal to the Apex Medical Board for assessment of his age on grounds of glaring differences in his appearance is justified? If so, to what relief is the concerned workman entitled?"

2. The case of the concerned workman according to the W.S. in brief is as follows :—

The concerned workman in his W.S. submitted that his actual date of birth was 11-12-1949. He submitted that the management arbitrarily and illegally recorded his date of birth as on 1-1-1936 in the Form B Register and this fact he came to know when the management served service excerpts to him. Immediately he personally and through union raised his protest and requested the management to rectify his date of birth as 11-12-1944 in place of 1-1-1936. He further submitted that he also through Union requested the management to assess his age through Apex Medical Board as per J.B.C.C.I. circular No. 76 but the management ignored his appeal.

3. Finding no other way he raised an industrial dispute before the ALC(C), Dhanbad for conciliation which ultimately resulted reference to this Tribunal.

4. The concerned workman accordingly has prayed for passing an Award directing the management to refer him before the Apex Medical Board for assessment of his age.

5. The management on the contrary after filing W.S.-cum-rejoinder have denied all the claims and allegation which the concerned workman asserted in his W.S. filed by the sponsoring union on his behalf. Management submitted that the date of birth of the concerned workman was recorded in the Form B Register along with other service particulars according to his statement at the time of his getting employment under the management. He also put his LTI in the respective column of the said Form B Register. During the period of his employment since 17-10-73 the concerned workman never raised any dispute

relating to his date of birth. They submitted that in the year 1987 service excerpt was handed over to the concerned workman wherein his date of birth also was recorded as 1-1-1936. They disclosed that the concerned workman though raised objection relating to the date of birth recorded in the service excerpt could not submit any cogent paper to substantiate his claim.

6. The management submitted that reference to Apex Medical Board cannot be claimed as of right of the workman concerned, as the matter is not included in the terms and conditions of the service as mentioned in the Certified standing order applicable to him. They further submitted that not only in the Form B Register but also in the C.M.P.F. register the same date of birth i.e. 1-1-1936 was recorded. Disclosing all these facts management submitted that the claim of the concerned workman is not only arbitrary but also finds no basis at all and for which he is not entitled to get any relief according to his prayer.

7. The points for decision in this reference are :—

"Whether the demand of the Union for referring Shri Ramashish Nonia, Tyndal in his Apex Medical Board for assessment of his age on grounds of glaring differences in his appearance is justified? If so, to what relief is the concerned workman entitled?"

**DECISION WITH REASONS**

8. It is seen that inspite of giving repeated opportunities the concerned workman neither was found present personally nor adduced any evidence to substantiate his claim. Under the circumstances when inspite of giving sufficient opportunities the concerned workman failed to take any appropriate step to proceed with the hearing of this case date was fixed for ex parte hearing. Management in course of ex parte hearing examined one witness. This witness who happened to be the Personal Officer of the management during his evidence disclosed that as per statement of the concerned workman his date of birth in the Form B Register was recorded as 1-1-96. He also put his L.T.I. in the said register. Copy of the Form B Register during evidence of this witness was marked as Ext.M-1 which definitely corroborated the facts asserted by the management relating to date of birth of the concerned workman. Copy of the service excerpt during evidence of MW-1 was marked as Ext. M-2 wherein his date of birth also was recorded as 1-1-36 MW-1 during evidence admitted that the concerned workman after receipt of the service excerpts raised his objection relating to the date of birth but in support of his claim has failed to produce a single scrap of paper.

9. Learned Advocate for the management in course of hearing submitted that as per J.B.C.C.I. circular No. 76 question of referring the workman to Apex Medical Board for assessment of his age arises if any gross discrepancy is found in different register in the matter of recording the date of birth. Management submitted that in the C.M.P.F. register date of birth of the concerned workman also was recorded as 1-1-36. Accordingly the plea taken by the concerned workman to refer him to the Apex Medical Board for assessment of his age in absence of any authentic

document could not be considered as it was contrary to the directions of the said JBCCI circular.

10. It is the specific claim of the concerned workman that his date of birth was 11-12-1944 and the management arbitrarily recorded his date of birth as 1-1-36 in the statutory register. Accordingly, onus absolutely lies on the concerned workman to establish his claim by adducing cogent evidence. Just mere claims finds no support until and unless it is substantiated by cogent evidence. Record shows clearly that the concerned workman though got ample opportunity to establish his claim by adducing cogent evidence did not consider necessary to do so.

11. Considering all facts and circumstances and also considering the evidence of the management I do not find any reason to say that they illegally and arbitrarily recorded the date of birth of the concerned workman as on 1-1-36 in the statutory Form B Register suppressing his actual date of birth.

12. Therefore, considering all facts and circumstances I hold that the concerned workman is not entitled to get any relief which he has prayed for. The reference case accordingly is disposed of exparte. In the result, the following Award is rendered:—

“The demand of the Union for referring Shri Ramashish Nonia, Tyndal to the Apex Medical Board for assessment of his age on grounds of glaring differences in his appearance is not justified. Consequently the concerned workman is not entitled to get any relief.”

B. BISWAS, Presiding Officer

नई दिल्ली, 29 मई, 2002

का.आ. 2084:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी. सी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 51/1995) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-05-2002 को प्राप्त हुआ था।

[सं. एल-20012/116/94-आईआर (सी-I)]  
एम. एस. गुप्ता, अवर सचिव

New Delhi, the 29th May, 2002

S.O. 2084.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 51/1995) of the Central Government Industrial Tribunal II, Dhanbad, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workman, which was received by the Central Government on 28-5-2002.

[No. L-20012/116/94-IR(C-I)]

S. S. GUPTA, Under Secy.

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD PRESENT:

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 51 of 1995

## PARTIES:

Employers in relation to the management of Madhuban Colliery of M/s. BCCL and their workman.

## APPEARANCES:

On behalf of the workman: None.

On behalf of the employers: None.

State: Jharkhand. Industry: Coal.

Dated, Dhanbad, the 23rd April, 2002

## AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/116/94-I.R. (Coal-I), dated, the 29th March, 1995.

## SCHEDULE

“Whether the action of the management of Block II Area of M/s. BCCL, P.O. Nawagarh, Dhanbad in denying to regularise S/Shri Raghunath Mahto, Rajdeo Nonia Suratlal Mahato and Bigan Dusadh as Trammer with due protection of their wages is justified? If not, to what relief are these concerned workmen entitled?”

2. In this reference none of the parties turned up before this Tribunal nor took any steps. It reveals from the record that the instant reference is pending since 10-4-95 and inspite of the issuance of registered notices to them they did not consider necessary to take any steps in the matter of reference. Under such circumstances there is no reason to keep the same alive for taking steps by the parties. Accordingly a ‘No dispute’ Award is rendered and the instant reference is disposed of on the basis of ‘No dispute’ Award presuming non-existence of any industrial dispute between the parties presently.

B. BISWAS, Presiding Officer

नई दिल्ली, 29 मई, 2002

का.आ. 2085:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी. सी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 48/1996) को

प्रकाशित करती है, जो केन्द्रीय सरकार को 24-05-2002 को प्राप्त हुआ था।

[सं. एल-20012/135/95-आईआर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 29th May, 2002

S.O. 2085.—In pursuance of Section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 48/1996) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 24-5-2002.

[No. L-20012/135/95-IR(C-1)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

#### PRESENT :

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 48 of 1996

#### PARTIES :

Employers in relation to the management of Dugda Coal Washery of M/s.

BCCL and their workman.

#### APPEARANCES:

On behalf of the Workman:—Shri S. Paul, Advocate.

On behalf of the Employers.—Shri D. K. Verma, Advocate.

STATE : Jharkhand. INDUSTRY : Coal.  
Dated, Dhanbad: the 9th May, 2002

#### AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947

has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/135/95 dated 30-4-96/1-5-96.

#### SCHEDULE

“Whether the action of the Additional Chief Engineer (E&M) Dugda Coal Washery of M/s. BCCL in discharging Shri Bijay Prasad Singh, Helper w.e.f. 17-8-93 is justified? If not, to what relief is the concerned workman entitled to?”

2. The case of the concerned workman is that he was a Helper under Dugda Coal Washery of M/s. BCCL. He submitted that the management with some false allegations not only dismissed him from service but also instituted a false criminal case against him. He further alleged that before discharging him from service the management neither issued any chargesheet against him nor took up any enquiry proceeding and for which he did not get any scope to defend his own case. Such order of discharge from his service was not only arbitrary and illegal but it was also against the principles of natural justice. The concerned workman further alleged that the management with a biased view and also in order to save Dr. Biswas from his criminal activities which he showed against him took the said decision whimsically. He further submitted that his letter dt. 30-8-93 addressed to the A.C.E. Dugda Coal Washery was purely a letter of protest demanding justice as against the illegality of discharge ordered dated 17-8-93. The said letter was misquoted in the officer order dt. 30-6-95 issued by the Dy. C.P.M. whereby the concerned workman was reinstated in service. He submitted that in view of the said order issued by the Dy. C.P.M. he joined on 10-7-95 as an Electrical Helper at Bhojudih Coal Washery on the condition that the entire period of his absence should be treated on duty and he should be given all benefits which are incidental to his service. The concerned workman further submitted that the criminal case which was pending against him vide G.R. Case No. 787/93 in which Sri H. K. Chakravorty Addl. Chief Engineer, Dugda Coal Washery was the informant had been decided by the Learned Judicial Magistrate First Class Berma at Tenughat and the learned Magistrate acquitted him from all the charges brought against him. He disclosed that he was not only deprived of his wages due for the period from 17-8-93 to 10-7-95 but also was deprived of his due



increment and the transfer benefit on account of his transfer from Dugda Coal Washery to Bhojudih Coal Washery. Accordingly the concerned workman raised an Industrial dispute before the ALC(C) Dhanbad which ultimately resulted reference to this Tribunal. The concerned workman submitted his prayer to pass an Award directing the management to pay wages with effect from 17-8-93 to 10-7-95 with all consequential service benefits.

3. The management on the contrary after filing W.S.-cum-rejoinder have denied all the claims and allegation which the concerned workman asserted in his W.S. The management submitted that the concerned workman was discharged from his service on the ground of assaulting and abusing in filthy languages to Dr. A. R. Biswas while he was on duty. The management further submitted that a criminal case was also instituted against the concerned workman on the same allegation. They submitted that after a year of discharge of service the concerned workman approached several important personalities of the coal field for his reinstatement with the assurance that he will not repeat such acts in future and he would ensure discipline in the establishment of the company. The matter was considered in January, 1995 and the management agreed to reinstate him in his service with a view to give him a chance for his rectification to his behaviour properly. Accordingly on 30-6-95 his order of discharge was withdrawn subject to the condition that though his service will be continuous during the period of his absence he will not be entitled to get any pay benefit for the said idle period. Accordingly on the basis of the said order the concerned workman joined at Bhojudih Coal Washery on 10-7-95. Accordingly the management submitted that the claim of the concerned workman finds no basis at all and for which he is not entitled to get any relief according to his prayer.

4. The points for decision in this reference are:—

"Whether the action of the Additional Chief Engineer (E & M) Dugda Coal Washery of M/s. BCCl in discharging Shri Bijay Prasad Singh, Helper w.e.f. 17-8-93 is justified? If not, to which relief is the concerned workman entitled to?"

#### DECISION WITH REASONS

5. It is admitted fact that the concerned workman originally was attached to Dugda Coal Washery as Helper. It is also admitted fact that the concerned workman was discharged from his service vide Order of dismissal No. DC/C-2/DPS-93-2144 dt. 17-8-93. It is also admitted fact that a criminal case was also instituted against the concerned workman by the management on the allegation of physical assault and abusing on officer of the company i.e. Dr. A. R. Biswas. It is seen that neither the concerned workman nor the management adduced any evidence in support of their claim and counter claim. However, they in course of hearing relied on some papers. It is the contention of the concerned workman that the allegation of assault to Dr. A. R. Biswas and also abusing him in filthy language was absolutely false. He alleged that the management with a view to take revenge against him has brought such false charge and without giving him any opportunity to defend his own case discharged him from service. He alleged further that before discharging him from service the management neither issued any chargesheet to him nor held any enquiry. Accordingly the said order of discharge has been vitiated from its very out set. The concerned workman further submitted that a criminal case was instituted against him by the management being G.R. Case No. 787/93 which ended in acquittal. A copy of the said order which has been annexed herewith definitely has supported the claim of the concerned workman. Accordingly the concerned workman submitted that as the said order of discharge was illegal, arbitrary he is entitled to get all back wages. From the record it transpires that the said order of acquittal was passed by the learned Magistrate on 31-5-95. The management on the contrary submitted that after the said incident of assault they were not only compelled to discharge the concerned workman

from service but also instituted a criminal case against him. They submitted further that during pendency of the hearing of that criminal case the concerned workman made an appeal before different unions for his reinstatement in service and also submitted a written apology before the management for the misdeed committed by him. In support of the claim the management relied on the minutes of discussion including the order of reinstatement. It is seen that over reinstatement of the concerned workman along with two other workmen the management had to enter into a discussion with different union leaders and after the said discussion the management assured to consider the reinstatement case of the concerned workman. The said discussion was held on 16-6-95. Thereafter the management issued the order of reinstatement in view of the said discussion held between the management and the union officials and also in view of the mercy petition wherein tendered unconditional apology for the misdeeds committed by him. It is further seen that the concerned workman accepting the condition imposed on him for reinstatement to his service joined at Bhojudih Coal Washery on 10-7-95.

6. The said order of acquittal passed by the learned Magistrate on 31-5-95. It should therefore be presumed that the concerned workman got his order of acquittal as the prosecution failed to establish the charge brought against him. I have failed to understand why the concerned workman requested the union to take up the case of his reinstatement with the management particularly when the management failed to establish the charge brought against him in the said criminal case. The discussion in between the management and the union leader was held on 16-6-95 i.e. after the order of acquittal passed by the Magistrate. It should be therefore be considered that inspite of the said order of acquittal the concerned workman was actually repentant for his misdeeds and for which he also did not hesitate to submit a mercy petition before the management. It is further seen that the management considering the discussion with the union leaders and also considering the mercy petition submitted by the concerned workman decided to reinstate him to service with a view to give an opportunity for his rectification in future. It is further seen that the concerned workman in compliance to the said order of reinstatement passed by the management joined at Bhojudih Coal Washery on 10-7-95 abiding by the condition imposed therein. Therefore, it is clear that the concerned workman accepting all the terms and conditions imposed upon him by the management agreed to join to his service. Accordingly at this stage he is estopped from claiming any such benefit which he has agitated in the instant reference case.

7. I have carefully considered all materials on record and I find no dispute to hold that the concerned workman has failed to establish his case relying on which he is entitled to get relief which he has prayed for.

In the result, the following Award is rendered:—

"The action of the Additional Chief Engineer (E & M) Dugda Coal Washery of M/s. BCCl in discharging Shri Vijay Prasad Singh, Helper w.e.f. 17-8-93 is justified. Consequently, the concerned workman is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 29 मई, 2002

का.प्रा.2086.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पेट्रीघट ट्रांसपोर्ट प्रा. लि. के प्रबंधन के संबंध नियो-जकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधि-करण-II, धनबाद के पंचाट (संदर्भ संख्या 105/1996)) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-05-2002 को प्राप्त हुआ था।

[सं. एल-20012/142/94-आईआर (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 29th May, 2002

S.O. 2086.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 105 of 1996) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Patriot Transport Pvt. Ltd. and their workman, which was received by the Central Government on 24-5-2002.

[No. L-20012/142/94 IR(C-I)]

S. S. GUPTA, Under Secy.

### ANNEXURE

### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

#### PRESENT :

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute  
under Section 10(1)(d) of the I.D.  
Act, 1947.

REFERENCE NO. 105 OF 1996

#### PARTIES :

Employers in relation to the management  
of Patriot Transport Pvt. Ltd. Con-  
tractor, Ranchi.

AND

Their Workman

#### APPEARANCES :

On behalf of the Workman.—None.

On behalf of the Employers.—None.

STATE : Jharkhand. INDUSTRY : Coal.

Dated, Dhanbad, the 7th May, 2002

### AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/142/94-IR(Coal-I) dated, the 19th September, 1996.

### SCHEDULE

“Whether the action of the management  
of M/s. Patriot Transport Pvt. Ltd.,

Contractor, Shiv Bhawan Tagore  
Hill Road, Morabadi, Ranchi is  
justified in terminating the services  
of their workmen S/Shri Bichai  
Yadav, Driver and Janeswar Singh,  
Khalasi w.e.f. 31-7-93, 31-7-93,  
Khalasi w.e.f. 31-7-93, respectively?  
If not, to what relief are these work-  
men entitled?”

2. In this reference neither the concerned workmen nor their representative appeared before this Tribunal. None also appeared on behalf of the management. It reveals from the record that the instant reference case was registered on 18-10-96 by this Tribunal for adjudication. According to Rule 10B clause (1) of the Industrial Disputes, Central Rules, 1957 it was mandatory on the part of the concerned workman to submit his W.S. within 15 days of the receipt of the order of reference. It is seen that since 1996 the concerned workmen in spite of getting ample opportunities have failed to file W.S. Not only they violated the statutory provision of law but also did not care for submitting W.S. even at a later stage. Registered notices were also issued to the parties but to no effect. Therefore, there is sufficient scope to say that the concerned workmen are not willing to proceed with the hearing of the instant reference case. Under such circumstances, there is no other alternative but to pass a ‘No dispute’ Award in the reference. Accordingly a ‘No dispute’ Award is rendered and the reference is disposed of on the basis of ‘No dispute’ Award presuming non-existence of any industrial dispute between the parties presently.

B. BISWAS, Presiding Officer

नई दिल्ली, 29 मई, 2002

का.प्र.2187:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार मैसर्स बी. सी. सी. एल. के प्रबंधन के संबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 129/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-05-02 को प्राप्त हुआ था।

[सं. एल-20012/172/97-आईआर (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 29th May, 2002

S.O. 2087.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of

1947), the Central Government hereby publishes the award (Ref. No. 129/1998) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 24-5-2002.

[No. L-20012/172/97-IR(C-I)]

S. S. GUPTA, Under Secy.

### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL (No. 2) AT  
DHANBAD

PRESENT :

Reference No. 129 of 1998

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute  
under Section 10(1)(d) of the I.D.  
Act. 1947.

Reference No. 129 of 1998

PARTIES :

Employers in relation to the management  
of M/s. BCCL.

AND

Their Workman

APPEARANCES :

On behalf of the Workman.—None.

On behalf of the Employers.—None.

STATE : Jharkhand. INDUSTRY : Coal.

Dated, Dhanbad, the 7th May, 2002

### AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/172/97-IR(Coal-I), dated, the 22nd April, 1998.

### SCHEDULE

"Whether is action of management in dismissing the service of Shri Durga Prasad, Shovel Oprr. is legal and justified ? If not, to what relief the concerned workman is entitled to ?"

In this reference none of the parties turned up before this Tribunal nor took any steps. Thereafter several adjournments were granted suo moto by this Tribunal and the registered notices were issued to them. But inspite of issuance of registered notices to them they did not consider necessary to appear before this Tribunal for taking steps in the matter of reference. However, a petition was received from the side of the workman by this Tribunal disclosing therein that the concerned workman involved in the dispute has been reinstated in his job. I have gone through the said petition. Since the dispute involved in the instant reference has been settled, I consider there remains nothing to be adjudicated. Under such circumstances, a 'No dispute' Award is rendered and the reference is disposed of on the basis of 'No dispute' Award presuming non-existence of any industrial dispute between the parties presently.

B. BISWAS, Presiding Officer

नई दिल्ली 29 मई, 2002

का.आ. 2088:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 120/2000) को प्रकाशित करती है जो केन्द्रीय सरकार को 24-05-2002 को प्राप्त हुआ था।

[सं. एल-20012/177/2000-आईआर (सी-I)]

एस. एस. गुप्ता, अवसर सचिव

New Delhi, the 29th May, 2002

S.O. 2088.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 120 of 2000) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of C.C.L. and their workman, which was received by the Central Government on 24-5-2002.

[No. L-20012/177/2000-IR(C I)]

S. S. GUPTA, Under Secy.

### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL (No. 2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

REFERENCE NO. 120 OF 2000

PARTIES :

Employers in relation to the management of Selected  
Dhori Colliery of M/s. CC. Ltd. and their work-  
man.

## APPEARANCES :

On behalf of the workman : Shri K. Singh, Advocate.

On behalf of the employers : None.

STATE : Jharkhand

INDUSTRY : Coal.

Dated, Dhanbad, the 23rd April, 2002

## AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012|177|2000-I.R. (C-I), dated, the 27th September, 2000.

## SCHEDULE

“Whether the action of the management of Selected Dhori Colliery of M/s. C.C. Ltd., P.O. Phusro Bazar, Dist. Bokaro in non-correction of date of birth of Sh. Rup Lal Mahato Driller as 23-11-43 is justified if not, to what relief is the workman concerned entitled?”

2. In course of hearing Shri K.N. Singh, Learned Advocate for the workman by filing a petition submitted to pass a ‘No dispute’ Award in this reference as the concerned workman is not interested to proceed with the dispute. Non appeared on behalf of the management. Heard the Learned Advocate for the workman. Since the concerned workman is not interested to proceed with the reference. I consider it is of no use to drag the same any more. Under such circumstances, a ‘No dispute’ Award is rendered and the reference is disposed of on the basis of ‘No dispute’ Award presuming non-existence of any industrial dispute between the parties presently.

B. BISWAS, Presiding Officer

नई दिल्ली, 29 मई, 2002

का.आ. 2089:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स सी. सी. एल. के प्रबंधन के संबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संघर्ष संख्या 155/1993) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-05-2002 को प्राप्त हुआ था।

[सं. एल-20012/212/92-आईआर (सी-I)]

एस.एस. गुप्ता, अवसर सचिव

New Delhi, the 29th May, 2002

S.O. 2089.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 155|1993) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. C.C.L. and their workman, which was received by the Central Government on 24-5-2002.

[No. L-20012|212|92-IR(C-I)]

S. S. GUPTA, Under Secy.

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL (No. 2) AT  
DHANBAD

## PRESENT :

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 155 of 1993

## PARTIES :

Employers in relation to the management of M/s. C.C.L.

AND

Their Workman

## APPEARANCES :

On behalf of the Workman.—None.

On behalf of the employers.—None.

STATE : Jharkhand. INDUSTRY : Coal.

Dated, Dhanbad, the 7th May, 2002

## AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012|212|92-I.R.(Coal-I), dated, the 8th September, 1993.

## SCHEDULE

“Whether the workmen and Security Personnel employed at Central Coalfield (including Hqrs.) are being paid OTA, both on working rest days, in accordance with the provisions of 11.3 & 11.4 of NCWA. IV ? If not, to what relief they are entitled and from what date ?”

2. In this reference only the workman side appeared and filed their W.S. The management side did not appear. Thereafter several adjournments were granted to the parties and registered notices were issued to them. But in spite of the issuance of the notices to them again and again they did not consider necessary to appear before this Tribunal for taking steps in the matter of reference. It reveals from the record that the instant reference is pending since 1993 and it is of no use to drag the same for years together for taking steps by the parties. Under such circumstances, a ‘No dispute’ Award is rendered and the reference is disposed of on the basis of ‘No dispute’ Award presuming non-existence of

any industrial dispute between the parties presently.

**B. BISWAS, Presiding Officer**

नई दिल्ली, 29 मई, 2002

का.मा.2090:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल.के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधि-करण-II, धनबाद के पंचाट (संदर्भ संख्या 119/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-5-2002 को प्राप्त हुआ था।

[सं. एल-20012/221/97-आईआर (सी-I)]

एस.एस. गुप्ता, अवसर सचिव

New Delhi, the 29th May, 2002

S.O. 2090.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 119/1998) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 24-5-2002.

[No. L-20012/221/97-IR(C-I)]

S. S. GUPTA, Under Secy.

### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL(No. 2) AT  
DHANBAD

PRESENT :

Sri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute  
under Section 10(1)(d) of the I.D.  
Act. 1947.

Reference No. 119 of 1998

PARTIES :

Employers in relation to the management  
of Gopalichak Colliery of M/s  
B.C.C.L.

AND

Their Workman

APPEARANCES :

On behalf of the Workman.—Shri S. C.  
Gaur, Advocate.

On behalf of the employers.—Shri  
H. Nath, Advocate.

STATE : Jharkhand. INDUSTRY : Coal

Dated, Dhanbad, the 6th May, 2002

### AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this for adjudication vide their Order No. L-20012/221/97-I.R.(C-I), dated, the 30th April, 1998.

### SCHEDULE

“Whether the action of the management of Gopalichak Colliery of M/s. BCCL in not referring the case of Sh. Hussaini Mia, Ex-Night Guard to Apex Medical Board in terms of JBCCI, I. I. No. 76 (when the date of birth of Shri Hussaini Mia was already available as 2-1-1944 in form ‘B’ & Identity card issue register. Identity card & service excerpts of workman in East. Basuriva Colliery of M/s. BCCL, where Sri Mia was initially appointed and subsequently transferred to Gopalichak Colliery (who recorded his date of birth as 1-2-1932 in form ‘B’ and retiring Sri Hussaini Mia prematurely vide O/O No. GOP/Per/OO/F/93/4866 dt. 29-5-93 w.e.f. 29-5-93 is justified? If not, to what relief is the concerned workman entitled?”

2. In this reference both the parties appeared and only the workman side filed its Written statement. The case thereafter proceeded along its course. Subsequently when the reference was fixed for hearing learned Advocate for the workman by filing a petition submitted to pass a ‘No dispute’ Award in the instant reference as the concerned workman left contact with him since long. Learned Advocate for the management raised no objection if the instant reference is disposed of on the basis of ‘No dispute’ Award. It reveals from the record that the instant reference is pending since May, 1998 and there is no reason to drag on the same any more. Particularly when the concerned workman is not showing any interest. Under such circumstances, a ‘No dispute’ Award is rendered and the reference is disposed of on the basis of ‘No dispute’

Award presuming non-existence of any industrial dispute between the parties.

**B. BISWAS, Presiding Officer**

नई दिल्ली, 29 मई, 2002

का.प्र.2091.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स बी. सी.सी.एल.के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II, धनबाद के पंचाट (संदर्भ संख्या 136/1995) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-5-2002 को प्राप्त हुआ था।

[सं. एल-20012/393/94-आईआर (सी-1)]

एस. एस. गुप्ता, अव्वर सचिव

New Delhi, the 29th May, 2002

S.O. 2091.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 136/1995) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman which was received by the Central Government on 28-5-2002.

[No. L-20012/393/94-IR(C-I)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 136 of 1995

PARTIES :

Employers in relation to the Moonidih Project of M/s. BCCCL and their workman.

APPEARANCES :

On behalf of the workman : Shri N. G. Arun,  
Authorised Representative.

On behalf of the employers : Shri H. Nath, Advocate.

STATE : Jharkhand

INDUSTRY : Coal

Dated, Dhanbad, the 24th April, 2002

#### AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/393/94-IR.(Con-I), dated, the 19th September, 1995.

#### SCHEDULE

"Whether the action of the management of Moonidih Project of M/s. BCCCL revoking the promotion of Shri Nagendra Singh to Electrical Supervisor (Grade-A) w.e.f. 22-7-92 is justified? If not, to what relief Shri Nagendra Shatma is entitled to?"

2. The case of the concerned workman in brief is as follows :—

The concerned workman in his W.S. submitted that he was promoted to the post of Foreman (Elec.) in the year 1989 by the management along with other on recommendation of the D.P.C. He submitted that thereafter on further recommendation of D.P.C. he got his promotion to the post of Electrical Supervisor (Mines) in T & S Grade A along with others and accordingly he started working in the said post. He submitted that subsequently the management by office order No. BCCL/PA-V/Reg. Elec-Super/92/11657-1257 dt. 21-8-92 revoked the said promotional order and reverted him back to T & S Grade-B. He alleged that subsequently the management by office Order No. BCCL/PA-V/Reg-Elec-Super/Grade-B/92/12253-453 dt. 29/31-8-92 though promoted six employees to the post of Foreman incharge (E & M) in T & S Grade-A he was ignored and thereby has become the victim of discrimination. He submitted that as per cadre scheme the promotion to the post of Foreman in T & S Grade-B requires that an employee should possess three years experience as Asstt. Foreman/Chargeman in T & S Grade-C and should possess Electrical Supervisorship certificate valid for mines whereas for promotion to the post of Foreman Incharge (Elec) in T & S Grade-A three years experience as Foreman in T & S Grade-B. He disclosed that he was promoted as Foreman (Elec) Grade-B in June, 1989 and duly completed three years experience in T & S Grade-B when he was promoted in T & S Grade-A as Foreman incharge. He submitted that there was no valid reason for revocation of his promotional order when already he fulfilled the requisite qualifications for getting promotion to the post of Foreman T & S Grade-A. He submitted that the decision of the management was arbitrary and illegal and for which he through his union raised an industrial dispute before the A.I.C.(C), Dhanbad for reconciliation which ultimately resulted reference to this Tribunal. Accordingly, he submitted his prayer for passing an Award directing the management to give promotion to T & S Grade-A with effect from 31-7-92 with full back wages and other benefits.

3. The management on the contrary after filing W.S.-cum-rejoinder have denied all the claims and allegations which the concerned workman asserted in his W.S.

The management submitted that on the basis of recommendation of D.P.C. an office order dt. 20/22-7-92 was issued for promotion of the concerned workman to the post of Foreman Incharge (Electrical) in Grade-A from the post of Foreman Grade-B with the condition to remain on probation for a period of one year and also with further condition that on enquiry would be made relating to his Electrical Supervisorship certificate and in case of any defect he would be reverted back to his original post of Foreman (Elec) in Grade-B. Management submitted that the D.P.C. was required to entertain the cases of candidate who were eligible for consideration of promotion according to the cadre scheme relevant for the concerned person. Management further disclosed that as per the Annexure VII-16 of JBCCI Circular No. 30 dt. 26-6-84, a Diploma holder in Electrical Engineering from prescribed Institute can be considered to be appointed as Asstt. Foreman (Elect) if he has three years of experience in Coal Mines in any capacity prior to obtaining his diploma. Alternatively a Diploma holder of Electrical Engineering can join as Asstt. Foreman (Elec) on training and after completion of two years of training in the coal mines he can be placed to his post of Asstt. Foreman (Elec). An Asstt. Foreman with three years of experience can be promoted to the post of Foreman (Elec) provided he possessed Electrical Supervisorship certificate valid for mining. Thus before any Diploma holder in Electrical Engineering is considered for his promotion to the post of Foreman (Elec) he should have minimum two years experience as Asstt. Foreman (Trainee) and he must possess Electrical Supervisorship Certificate to enable him to discharge the duties of Asstt. Foreman (Elec). Management referring circular No. 32 dt. 15-7-92 issued by JBCCI submitted that by the said circular it has been specified that for the post of Foreman Incharge (Elec) a candidate must possess Electrical Supervisorship certificate of competency for a period of five years and he must have worked as Electrical Foreman in Grade-B for a minimum period of three years.

Management alleged that the D.P.C. constituted for the purpose of recommending promotion of Foreman (Elec) to the post of Foreman in charge (Elec) held their sitting on

18-2-92 and did not consider the amended circular properly and recommended the candidate for their promotion although they were not eligible for consideration of their promotion as they did not fulfil the condition of the aforesaid two circulars. They submitted that the concerned workman was promoted to the post of Foreman (Elect) in Grade-B with effect from 16-6-89 and he was granted Electrical Supervisorship certificate on 6-6-88. Accordingly by 18-2-92 the concerned workman did not complete three years of experience as Foreman (Elec) Grade-B and therefore, he was not eligible for consideration of his promotions to Foreman Incharge (Elec) in Grade-A as per the aforesaid two JBCCI Circulars. As he obtained his electrical supervisorship certificate on 6-6-88 he had not completed five years of experience after obtaining Electrical Supervisorship Certificate and as such he was not eligible for consideration of his promotion. They further submitted that as the recommendation of D.P.C. was illegal, invalid and contrary to the provisions of JBCCI circulars he was not eligible for consideration of his promotion for the post of Foreman Incharge (Electrical). Accordingly when that mistake was detected the order issued in favour of the concerned workman was recalled and constituted another D.P.C. for examining all aspects and later on fresh order of promotion was issued in respect of the persons who were found to be eligible for consideration of his promotion as per the aforesaid circular. The case of the concerned workman could not be considered for promotion to the post of Foreman Incharge (Elect) as he had not fulfilled the requisite qualification as per JBCCI Circular.

4. The points for decision in this reference are:—

“Whether the action of the management of Moonidih Project of M/s. BCCL revoking the promotion of Shri Nagendra Singh to Electrical Supervisor (Grade-A) w.e.f. 22-7-92 is justified? If not, to what relief Shri Nagendra Singh is entitled to?”

#### DECISION WITH REASONS

5. It is admitted fact that the concerned workman vide office order dt. 20/22-7-92 was promoted to the post of Foreman Incharge (Elec) Grade-A from the post of Foreman Grade-B along with others as per recommendation of the D.P.C. It is also admitted fact that the concerned workman was promoted to the post of Foreman Grade-B on 16-6-89 and he was granted Electrical Supervisorship certificate on 6-6-1988. It is the contention of the workman that the management arbitrarily and illegally recalled the said order of promotion and reverted him back to the post of Foreman Grade-B. He further alleged that though the other employees also were reverted back to their of original post by the same order they were subsequently promoted to the post of Foreman Incharge (Elec) Grade-B ignoring his case.

Management on the contrary relying on JBCCI Circular No. 30 dt. 26-6-84 and 32 dt. 15-7-92 submitted that as the concerned workman has failed to fulfil the condition for getting promotion to the post of Foreman Incharge (Elect) Grade-A he was reverted back. They submitted further that D.P.C. at the time of recommending the names of the concerned workman and others did not consider the directions of the said circular. As the mistake was detected the order already issued was recalled and a fresh D.P.C. was formed and the said D.P.C. after considering all aspects recommended the names of the qualified persons who were promoted to the post of Foreman Incharge (Electrical) Grade-A. As the concerned workman at the relevant time had no such qualification his case could not be considered.

Management disclosed that as per JBCCI Circular No. 32 dt. 15-7-92 wherein it has been specified that for the post of Foreman-in-charge (Elect) Grade-A, a candidate must possess Electrical Supervisorship Certificate of competency for a period of minimum five years and he must have worked as Electrical Foreman Grade-B for a minimum period of three years. Referring this circular management submitted that the concerned workman was promoted to the post of Foreman (Electrical) in Grade-B with effect from 16-6-89 and he was granted the Electrical Supervisorship certificate on 6-6-1988. Accordingly by 18-6-92 the concerned workman did not complete three years of experience as Foreman (Elect) Grade-B and for which his case for promotion to the post of Foreman-in-charge Grade-B could not be considered.

It is seen from the record that inspite of getting ample opportunities the concerned workman did not consider necessary to come forward with a view to establish his claim. Facts disclosed in the W.S. cannot be considered as substantive piece of evidence until and unless it is established by cogent evidence. It is fact that the concerned workman was promoted to the post of Foreman Incharge (Elec) Grade-A from Foreman (Elect) Grade-B but subsequently he has been reverted back to his original post by office order. Management has assigned the reason under which circumstances they had to pass the said order. JBCCI Circular No. 32 is clear on this point. In the said circular it has been clearly pointed that promotion to the post of Foreman-in-Charge (Elect) Grade-A could be considered only on fulfilment of the terms and conditions. It is the specific case of the management that as the concerned workman had no requisite qualification his case could not be considered. To rebut this claim the concerned workman got ample scope to answer. Within four corners of the record I have failed to find out any such cogent evidence on the part of the concerned workman relying on which the claim of the management could be ignored. The reversion order which the management passed in case of the concerned workman was in compliance to the JBCCI Circular Nos. 30 and 32. As such until and unless any contrary is established there is no scope to say that the management either passed an arbitrary and illegal order or violated the principles of natural justice in reverting back him to his original post. I find no hesitation to say that the concerned workman inspite of getting opportunities has failed to establish the claim and for which he is not entitled to get any relief which he has prayed for.

6. In the result, the following Award is rendered:—

“The action of the management of Moonidih Project of M/s. BCCL revoking the promotion of Shri Nagendra Singh to Electrical Supervisor (Grade-A) w.e.f. 22-7-92 is justified. Consequently, the concerned workman is not entitled to get any relief.”

B. BISWAS, Presiding Officer

नई दिल्ली, 29 मई, 2002

का.आ.2092.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण असनसोल के पंचाट (औद्योगिक विवाद 1/2002 धारा 33ए के अन्तर्गत औद्योगिक विवाद संख्या 1/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-5-2002 को प्राप्त प्राप्त हुआ था।

[सं. एल-22012/28/2001-आईआर (सी-II)]  
एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 29th May, 2002

S.O. 2092.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-LC, Asansol (Complaint No. 1 of 2002 filed under Section 33-A in the matter of I.D. No. 1/2002) as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 28-05-2002.

[No. I-22012/28/2001-IR(G-II)]  
N. P. KESAVAN, Desk Officer

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT, ASANSOL

PRESENT :

Shri Ramjee Pandey, Presiding Officer.

COMPLAINT NUMBER 1 of 2002

PARTIES :

Shri Subhas Kumar Singh,  
Area Working President,  
Janta Mazdoor Sangh.

.... Complainant

Versus

Shri Biswanth Pan,  
CMD,  
BCCCL & Others,

.... Opposite Party

REPRESENTATIVES :

For the Complainant : Shri S. K. Singh,  
Area Working President,  
Janata Mazdoor Sangh.

For the Opposite Party : Shri P. K. Das, Advocate.

INDUSTRY : Coal

STATE : West Bengal

Date : 18th April, 2002

## AWARD

This is an application filed by the complainant under Section 33A of the Industrial Dispute Act, 1947. According to the application the case of the complainant, in brief is that Shri Uttam Chatterjee, the workman has been working as Underground Trammer since last four years but he was not being regularised by the management and hence the workman raised an Industrial Dispute which is pending vide Ref. No. 30 of 2001 in Central Government Industrial Tribunal-cum-Labour Court, Asansol. It has been further stated that during the pendency of reference, mentioned above, the management has contravened the provision of Section 33 of I.D. Act by transferring the workman from the Victoria West Colliery to Begunia Project and accordingly a prayer has been made to pass the necessary orders.

In response to the summon the management appeared through Shri P. K. Das, Advocate. Although no written statement has been filed by the management but today a Memorandum of Settlement in Form 'H' has been filed by both the parties. Shri P. K. Das, Advocate, appeared for the Opposite Party and Shri S. K. Singh, Area Working President of the Union appeared for the Complainant. Both the parties submitted that the case may be disposed of in terms of settlement.

I perused the Memorandum of Settlement and I find that the Chief General Manager, the Agent and the Area Personnel Manager have signed the Memorandum of Settlement on behalf of the management and the workman e.g. Shri Uttam Chatterjee as well as the Organising Secretary and the Area Working President have signed the same on behalf of the Complainant. According to the terms of settlement the management has agreed to regularise the workman e.g. Shri Uttam Chatterjee as Piece Rated Underground Trammer to be posted at Kustore Area, BCCCL and consequently the complainant agreed to withdraw all the disputes pending before in this Tribunal.

Since both the parties have amicably settled the dispute, the Award is passed in terms of settlement. The Memorandum of settlement will form the part of Award.

RAMJEE. PANDEY, Presiding Officer

नई दिल्ली, 29 मई, 2002

का.आ. 2093.—औद्योगिक विवाद अधिनियम, 1947  
1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय

सरकार ई.सी.एल. प्रबंधन के संबंध निथोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, असनसोल पंचाट (संदर्भ संख्या 118/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-05-2002 को प्राप्त हुआ था।

[सं. एल-22012/79/99-आईआर(सी-1)]

एन.पी. केशवन, ईस्क अधिकारी

New Delhi, the 29th May, 2002

S.O. 2093.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 118/1999) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 28-5-2002.

[No. L-22012/79/99-IR(C-II)]

N. P. KESAVAN, Desk Officer

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT, ASANSOL

PRESENT :

Shri Ramjee Pandey, Presiding Officer.

REFERENCE NUMBER 118 OF 1999

PARTIES :

Amritnagar Colliery

.. Management.

Vrs.

Shri Sunder Singh

.. Workman.

APPEARANCES :

For the Management : None.

For the Workman (Union) : None.

INDUSTRY : Coal

STATE : West Bengal.

Dated : 9-5-2002

## AWARD

In exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947, Govt. of India through the Ministry of Labour vide its Order No. L-22012/79/99/IR(CM-II) dated 3-8-1999 has referred the following dispute for adjudication by his Tribunal :

"Whether the action of the management of Amritnagar Colliery in refusing the employment of Shri Sunder Singh as dependent of Late Hardoyal Singh after attainment of adulthood i.e. 18 years is justified ? If not to what relief Shri Sunder Singh, a dependent of Hardoyal Singh is entitled?"

In response to the summon the management appeared through Shri P.K. Goswami, Advocate and filed a written statement. Registered summon was served to the Union on 8-10-2001, but despite repeated adjournments none appeared on behalf of the Union (Workman) which indicates that Union is not interested to contest the dispute. And hence No Dispute Award is passed.

RAMJEE PANDEY, Presiding Officer



नई दिल्ली, 29 मई, 2002

का.आ.:2094.--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण अमनसोल पंचाट (संदर्भ संख्या 16/2000) को प्रकोशित करती है, जो केन्द्रीय सरकार को 28-05-2002 को प्राप्त हुआ था।

[सं.एल-22012/328/99-आईआर(सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 29th May, 2002

S.O. 2094.--In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 16/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 28-5-2002.

[No. L-22012/328/99-IR(C-II)]

N. P. KESAVAN, Desk Officer

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT, ASANSOL  
PRESENT:

Shri Ramjee Pandey, Presiding Officer.

Reference Number 16 of 2000

## PARTIES:

1 & 2 Incline of Jhanjira Area,  
M/s. Eastern Coalfields Ltd. .... Management  
Versus

Sh. Prabash Bouri. .... Workman

## APPEARANCES:

For the Management: Shri P. K. Das, Advocate.

For the Workman (Union): Shri S. K. Pandey, Chief  
General Secretary of the Union.

INDUSTRY: Coal

STATE: West Bengal

Date: 26-04-2002

## AWARD

In exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947, Government of India through the Ministry of Labour vide its order No. L-22012/328/99-IR(CM-II) dated 27-01-2000 has referred the following dispute for adjudication by this Tribunal.

"Whether the action of the management of 1 & 2 Incline of Jhanjira Area of M/s. Eastern Coalfields Ltd. in dismissing Sh. Prabash Bouri, Cleaning Mazdoor from services is legal and justified? If not, what relief the workman is entitled to?"

After receiving the reference summons were sent to the parties by registered post. In response to the summons both the parties appeared and filed their respective written statements. Shri P. K. Das, Advocate, appeared for the management and Shri S. K. Pandey, Chief General Secretary of Koyla Mazdoor Congress appeared for the workman.

The fact of the case in brief is that the workman e.g. Shri Prabash Bouri was a permanent employee of M/s. ECL and 1845 GI/2002-24

he was working as a cleaning Mazdoor in 1 & 2 Incline of Jhanjira Area. The workman became absent from his duty from 23-03-98 to 06-04-98 for which he was chargesheeted and after domestic enquiry he was dismissed from the service.

The case of Union (Workman) in brief is that the workman went his home after taking leave and he fell ill due to which he did not report for his duty but he was under the treatment of Company's Hospital and after getting medical certificate when he reported for his duty on 30-03-98 the management did not allow him to resume his duty and the management issued a chargesheet on 06-04-98. The workman submitted his reply but with mala fide intention the management victimised the workman and dismissed him from service. Further case of the union is that no notice was given to the workman with regard to the departmental enquiry and the departmental enquiry was conducted ex-parte and hence the order of dismissal is illegal and unjustified.

The case of the management, in brief, is that the workman became absent from his duty without any information to and permission of any competent authority of the management. The workman became absent without information and he committed gross misconduct for which he was given chargesheet but the reply given by him was found to be unsatisfactory and hence the domestic enquiry was started against him. Although notice for enquiry was served to the workman but he did not attend the enquiry and Principle of natural justice has been complied. Considering the fact that misconduct of workman was established during enquiry and also considering the fact that he was a habitual absentee, he was dismissed from service and the order of dismissal is justified.

Although in its written statement the union has alleged that the workman was not informed about the enquiry and the enquiry was held ex-parte but during hearing on the point of fairness of the domestic enquiry the union did not challenge the same rather the leader of the union stated to make submission on the basis of enquiry report and the evidence collected during the same, hence the domestic enquiry was taken to be valid.

Both the parties made submissions about the findings of Enquiry Officer and the quantum of punishment on the basis of enquiry report.

It is admitted by both the parties that the workman was absent from his duty from 23-03-98 to 06-04-98 i.e. for a period of less than fifteen days. Since the Union did not challenge the fairness of enquiry and the domestic enquiry has been held to be valid no fresh material produced by the union can be considered at this stage. Although it has been pleaded by the Union that due to his sickness the workman did not attend his duty but during enquiry no evidence was produced by the workman and hence the plea of sickness can not be accepted. Although it has been pleaded by the management that workman was a habitual absentee but from perusal of enquiry report and the copy of charge sheet it is clear that there was no charge of any previous absence of the workman and hence any finding by the Enquiry Officer regarding previous absence can not be the basis of punishment to the workman and the same can not be considered to examine the correctness of order of dismissal. Learned Lawyer for the management also fairly conceded that the chargesheet given to the workman did not include the allegation of any previous absence and hence on the admitted facts on the record it is clear that the workman was dismissed only for absence, for a period of less than fifteen days.

Shri S. K. Pandey, appearing for the workman submitted that the order of dismissal is a capital punishment for person in service and his punishment is unwarranted and disproportionate to the nature of misconduct. Learned Lawyer for the management fairly admitted on principle that if punishment of dismissal is capital punishment for a man in service but he submitted that in this case dismissal is justified. I do not agree with the submission of Learned Lawyer for the management in this regard.

Shri S. K. Pandey, has rightly submitted that the order of dismissal is a severe punishment. I am also of the opinion that the order of dismissal is disproportionate to the nature of misconduct on the part of the workman. In my opinion stoppage of one annual increment will meet the end of justice.

In view of the above discussions the order of dismissal is set aside and the management is directed to reinstate the workman with back wages. However, it will be the liberty to the management to punish the workman by a stoppage of one annual increment. In the above manner the Award is passed.

RAMJEE PANDEY, Presiding Officer

नई दिल्ली, 29 मई, 2002

का.आ. 2095.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूची में, केन्द्रीय सरकार ई.सी.एल. प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण असनसोल पंचाट (संदर्भ संख्या 82/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-05-2002 को प्राप्त हुआ था।

[सं.एल-22012/360/98-आईआर(सी-11)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 29th May, 2002

S.O. 2095.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 82/1999) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 28-5-2002.

[No. L-22012/360/98-IR(C-11)]

N.P. KESAVAN, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL  
PRESENT:

Shri Ramjee Pandey, Presiding Officer.

REFERENCE NUMBER 82 OF 1999

PARTIES:

J. K. Nagar Colliery .. Management  
Vrs.

Smt. Kirya Bhuiya .. Workman

APPEARANCES:

For the management : NONE.

For the workman (Union) : NONE.

INDUSTRY: :Coal STATE : West Bengal

Date : 14-5-2002

#### AWARD

In exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Dispute Act, 1947, Govt. of India through the Ministry of Labour vide its order No. L-22012/360/98/IR(CM-II) dated 7-7-1999 has referred the following dispute for adjudication for this Tribunal:

"Whether the action of the Agent, J.K. Nagar, Colliery in terminating the services of Smt. Kirya Bhuiya Ex. Wagon Loader, on 18-2-1997 and in determining her age as 55 years as on 21-2-1997 is justified? If not, to what relief is the worker entitled?"

In response to the summon, management appeared through Sri P.K. Das, Advocate. Although summon was served upon

the Union by registered post but despite repeated adjournment none appeared on behalf of the Union (Workman). Despite adjournment management also did not file written statement up till now, and these very facts indicate that neither the management nor the Union is interested to contest the dispute and hence No Dispute Award is passed.

RAMJEE PANDEY, Presiding Officer

नई दिल्ली, 29 मई, 2002

का.आ. 2096.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूची में, केन्द्रीय सरकार ई.सी.एल. प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण असनसोल पंचाट (संदर्भ संख्या 22/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-05-2002 को प्राप्त हुआ था।

[सं.एल-22012/378/99-आईआर(सी-11)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 29th May, 2002

S.O. 2096.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 22/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure in the Industrial Dispute between the Employers in relation to the management of ECL and their workman, which was received by the Central Government on 28-5-2002.

[No. L-22012/378/99-IR(C-11)]

N. P. KESAVAN, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL  
PRESENT:

Shri Ramjee Pandey, Presiding Officer.

REFERENCE NUMBER 22 of 2000

PARTIES:

Narsmuda Colliery M/s. ESL .. Management  
Vrs.

Sh. Monoj Kumar .. Workman

APPEARANCES:

For the management : Shri P.K. Das, Advocate.

For the Workman (Union) : Shri S.K. Pandey, Chief

General Secretary of the Union.

INDUSTRY: :Coal STATE : West Bengal

Date : 19-4-2002

#### AWARD

In exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Dispute Act, 1947, Govt. of India through the Ministry of Labour vide its order No. L-22012/378/99/IR(CM-II) dated 10/29-2-2000 has referred the following dispute for adjudication by this Tribunal.

"Whether the action of the management of Narsmuda Colliery M/s. ECL in dismissing the services of Sh. Monoj Kumar, Tramper by way of conducting departmental enquiry is justified? If not, to what relief the workman is entitled?"

In response to the summons issued by the Tribunal both the parties appeared. The management appeared through Sh.

P.K. Das, Advocate and the workman appeared through Shri S. K. Pandey, Chief General Secretary of the Union. Both the parties filed their respective written statements.

Facts of the case in brief is that the workman e.g. Shri Manoj Kumar, was working as a Trammer at Naramud Colliery of M/s. ECL, but he became absent from his duty from 18-10-1996 to 13-12-1996 as a result of which the management dismissed him after conducting the domestic enquiry, and finding his absence without any reason.

The case of the management is that the workman became absent without any information and prior permission or leave of competent authority from 18-10-1996 and when workman was chargesheeted giving opportunity to show cause, he failed to submit any reply. Thereafter enquiry was held and during enquiry the Enquiry Officer found that his misconduct was established and accordingly he was dismissed from his service. Further case of the management is that during subsequent enquiry the workman submitted a medical certificate issued by Sadar Hospital, Asansol, but his medical certificate was not accepted by the management as inspite of medical facilities available at the Colliery level he attended the Sadar Hospital, Asansol, according to his choice. According to the management the workman has been rightly dismissed and the punishment is justified. The management has also asserted the previous absence of the workman.

The case of the workman is that the workman went his home on 30-10-1996 after taking leave from the management and he fell ill and he was under treatment of Sardar Hospital, Asansol through out. No sooner he recovered he reported for his duty but the management issued a charge sheet alleging that the absence of workman is unauthorised. Further case of the Union is that although enquiry was held but the Enquiry Officer acted as representative of the management, favouring the management during enquiry. The further case of the Union is that at the first instance Enquiry Officer held that the workman was not guilty for the charge levelled against him but subsequently enquiry report was manipulated and changed to show that the workman was found guilty. According to the Union no misconduct of the workman was established and the punishment of dismissal is very hard for the workman.

When the case was taken up for hearing on the point of fairness of domestic enquiry, the union did not challenge the fairness hence enquiry has been held to be valid. Both the parties made submission on the basis of evidence during domestic enquiry and the report of enquiry officer.

I have already heard both the parties and perused the documents produced during domestic enquiry as well as the report of the enquiry officer. During domestic enquiry the workman was also examined and he has positively stated that he was seriously ill and was suffering from Jaundice for which he was under treatment of Sadar Hospital, Asansol from 30-10-96 to 25-2-97. He has further stated that he informed the management twice about his illness by registered letter. The Enquiry Officer has also admitted in his findings that the workman produced postal receipt of sending letters under certificate of posting to management of the Colliery twice. From perusal of the findings of Enquiry Officer, it is quite clear that the findings of Enquiry Officer has got several cuttings and additions from which the contention of the Union alleging that the finding has been manipulated appeared to some extent believable. However, the Enquiry Officer has admitted that the workman produced a medical certificate of Sadar Hospital, and his medical certificate was not accepted because it was not issued by the Hospital of the Colliery. In my opinion simply because the workman produced the medical certificate of the Sadar Hospital, Asansol his plea can not be rejected on this ground. I find that the workman has sufficient reason beyond his control to become absent from the duty.

In any view of the matter the only charge against the workman is that he became absent from his duty for a period of less than two months. This aspect of the matter has been admitted by Learned Lawyer for the management also. Although in the Written Statement management has pleaded that the workman is habitual absentee but Learned Lawyer for the management fairly admitted that no charge-sheet was issued to the workman for his any previous absence nor the enquiry was conducted regarding the previous absence. Hence in my opinion the allegation of the management about previous absence can not be accepted.

In view of the above discussions I find that finding of the Enquiry Officer is not acceptable and no misconduct on the part of the workman has been established. Moreover, the punishment of dismissal is too severe and hence the order of dismissal is hereby set aside and the management is directed to reinstate the workman with back wages. Accordingly the Award is passed.

RAMJEE PANDEY, Presiding Officer

नई दिल्ली, 29 मई, 2002

का.आ. 2097.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण आसनसोल पंचाट (संदर्भ संख्या 117/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-05-2002 को प्राप्त हुआ था।

[सं.एल-22012/463/98-आईआर(सी-II)]

एन. पी. केशवन, डैस्क अधिकारी

New Delhi, the 29th May, 2002

S.O. 2097.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 117/1999) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 28-5-2002.

[No. L-22012/463/98-IR(C-II)]  
N. P. KESAVAN, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL  
PRESENT :

Shri Ramjee Pandey, Presiding Officer.

REFERENCE NUMBER 117 OF 1999

#### PARTIES :

Girmint Colliery .. Management

Vrs.

Md. Abbas Khan .. Workman

#### APPEARANCES :

For the management : NONE.

For the workman (Union) : NONE.

INDUSTRY : Coal STATE : West Bengal.

Date : 9-5-2002

#### AWARD

In exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Dispute Act, 1947, Govt. of India through the Ministry of Labour vide its order No. L-22012/463/98-IR(C-II) dated 3-8-1999 has referred the following dispute for adjudication by this Tribunal.

"Whether the action of the management of Girmint Colliery in, not regularising Md. Abbas Khan in the post of Asstt. Cap Lamp Room Incharge is justified ? If not, to what relief is the workman entitled ?"

In response to the summon the management appeared through Shri P. K. Goswami, Advocate and filed a written statement. Despite the fact that registered summon was served to the Union on 8-10-2001 and the fact that several adjournment were given for this purpose none appeared on behalf of the Union (Workman). Today management is also absent. From the contents of written statement filed by the management it appears that the workman has been already regularised by the management by order dated 30-10-2000 and it appears that due to this reason none appeared on behalf of the workman.

Further, non-appearance of the workman indicates that the workman or the Union is not ready to contest the dispute and the dispute does not exist and hence a No dispute Award is passed.

RAMJEE PANDEY, Presiding Officer

नई दिल्ली, 29 मई, 2002

का. आ. 2098.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. सी. एल. प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण हैदराबाद पंचाट (संदर्भ संख्या 72/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-05-2002 को प्राप्त हुआ था।

[सं. एल-22025/1/2002—आर्द्धार(सीII)]  
एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 29th May, 2002

S.O. 2098.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 72/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCCL and their workman, which was received by the Central Government on 27-5-2002.

[No. L-22025/1/2002-IR(C-II)]  
N. P. KESAVAN, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD PRESENT :

Shri E. Ismail, Presiding Officer.

Dated the 30th April, 2002

Industrial Dispute L.C.I.D. No. 72/2001

#### BETWEEN

Sri Ch. Prabhakar,  
H. No. 1-1-140,  
Old Kothagudem (P.O./M),  
Madwadi Camp-507106.

.... Petitioner

#### AND

The General Manager,  
Singareni Collieries Co. Ltd.,  
Kothagudem,  
Dist. Khammam.

.... Respondent

#### APPEARANCES :

For the Petitioner : M/s. Sathwath Rana, Advocates.

For the Respondent : M/s. J. Partha Sarathy, Advocates.

#### AWARD

This is a case taken under Section 2A(2) of the I.D. Act, 1947 in view of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. Brief averments of the petition are : That the petitioner was appointed in the year 1989 as his father took voluntary retirement due to sickness. The petitioner was working at Hemachandrapuram Mines attending his duties regularly. On 25-7-90 his elder brother was murdered by unsocial elements and the petitioner was also grievously injured in the attack with the result the petitioner was not able to attend his duties. And this fact is well known to the management as this incident was also written in the newspaper. The unsocial elements having murdered the elder brother of the petitioner has been trying to eliminate the petitioner as he was eye witness. As such the petitioner had to seek hide out at Warangal, where he fell ill due to the injuries and mental agony. The petitioner returned for duty and he was taken on duty on 8-5-91 levelling the charge of unauthorized absenteeism, in response to which he gave a detailed explanation. The respondent without giving due consideration, dismissed the petitioner from services through order No. GM(K)/P7/1713 dated 21-9-91, violating the principles of natural justice, in result, the order of removal passed by the respondent is illegal, invalid, and not sustainable in law. The absence from duty was beyond petitioner's control. He was waiting for years but to no use. Hence, it is prayed that the dismissal order dated 21-9-91 be set aside and the petitioner may be directed to be reinstated.

3. A counter was filed stating that petitioner was appointed as a temporary Tunnel Mazdoor on 9-1-89 on the basis of dependent employment and the particulars of the musters attended by the petitioner are as under :

1989	210 musters
1990	69 musters
1991	Upto June 30 musters.

As such, he was issued a notice dated 5-7-91. A reply was given by the petitioner on 6-7-91 and not satisfied with the reply and enquiry was conducted and he was dismissed from service on 24-9-91. That suddenly after 10 years the petitioner sought to reopen the issue and gave legal notice dated 21-7-2001. The enquiry was conducted fairly and properly. It is false to say that petitioner filed any appeal and there is a long delay of 10 years. He is not entitled for any relief. Hence, the petition may be dismissed.

4. The Counsel for the petitioner conceded that the domestic enquiry is validly conducted and Ex. W1 to Ex. W5 are marked on his behalf and Ex. M1 to Ex. M8 were marked with consent on behalf of Respondent. And, arguments were heard on the main issue.

5. It may be seen that the Ex. W1 is a reply to the charge sheet. Wherein he states that his brother was murdered at Kothagudem. Ex. W2 is the removal certificate dated 21-9-91. Ex. W3 is request for reinstatement. Ex. W4 is the notice issued by the Advocate of the petitioner. Ex. W5 is the postal acknowledgement. Ex. M1 is the charge sheet that the petitioner absented himself during 1991 for 195 days. Ex. M2 is the reply to the charge sheet. Ex. M3 is notice by the enquiry officer. Ex. M5 is the enquiry report. Ex. M7 is recommending removal. Ex. M8 is his dismissal order. He was dismissed as far back as 21-9-91 and he has chosen to approach the Court in 2001 after issuing a notice Ex. W4 in 2001 after a gap of 10 years. It is thus according to the Judgement of the Hon'ble Supreme Court inordinate delay and it may upset the positions. But with respect I submit that on the facts of this case this delay can be condoned. Because here the facts are : (a) he was appointed in the year 1989 as his father took voluntary retirement due to ill-health on compassionate grounds. (b) The petitioner's brother was murdered. (c) He is after all a temporary tunnel mazdoor and it may not jeopardise the promotion and other things of other persons. Hence, I am of the opinion that the respondent be directed to take back him as temporary tunnel mazdoor which will duly meet the ends of justice.

6. In the result an award is passed directing the respondent to reinstate the petitioner as Temporary Tunnel Mazdoor within 30 days from the publication of this award on the

minimum pay scale and further confirmation or granting him permanent Tunnel Mazdoor will depend on his performance that is whether he puts in a minimum number of days required continuously for a period of three years unless until there are extenuating circumstances. He is not entitled for continuity of service, back wages or seniority.

Award passed accordingly. Transmit.

Dictated to Kum. K. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me in the Open Court on this the 30th day of April, 2002.

E. ISMAIL, Presiding Officer

Appendix of evidence

Witness examined for the  
Petitioner

NIL

Witness examined for the  
Respondent

NIL

Documents marked for the Petitioner

- Ex. W1—Copy of reply to charge sheet dt. 19-7-91.
- Ex. W2—Copy of Lr. No. GM(K)/P. 7/1713 dt. 21-9-91.
- Ex. W3—Copy of petitioner's representation dt. nil.
- Ex. W4—Copy of legal notice dt. 21-7-2001.
- Ex. W5—Postal acknowledgement.

Documents marked for the Respondent

- Ex. M1—Copy of charge sheet dt. 5-7-91.
- Ex. M2—Copy of petitioner's representation dt. 6-7-91.
- Ex. M3—Copy of Lr. No. HCP/CS/8/91/505 dt. 6-7-91.
- Ex. M4—Copy of enquiry proceedings.
- Ex. M5—Copy of enquiry report dt. 10-7-91.
- Ex. M6—Copy of Lr. No. Agt. Do-1/91/P. 21/1323 dt. 11-7-91.
- Ex. M7—Copy of Lr. No. Agt. Dn-1/91/1356, dt. 18-7-91.
- Ex. M8—Copy of Lr. No. GM(K)/P. 7/1713 dt. 21-9-91.

नई दिल्ली, 29 मई, 2002

का. भा. 2099.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. सी. एल. प्रबंधन के संघर्ष नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण हैदराबाद पंचाट (संदर्भ संख्या 120/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-05-2002 को प्राप्त हुआ था।

[सं. एल-22025/1/2002-आईआर(सी II)]  
एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 29th May, 2002

S.O. 2099.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 120/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 27-5-2002.

[No. L-22025/1/2002-IR(C-II)]  
N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT AT  
HYDERABAD

PRESENT :

Shri E. Ismail, Presiding Officer.  
Dated the 29th day of April, 2002

INDUSTRIAL DISPUTE L.C.I.D. No. 120/2001  
BETWEEN

Sri M. Ravi Kumar,  
EP Operator, OCP-III, RG-III Area,  
Sugareni Collieries Co. Ltd.,  
Godavarikhani.

.. Petitioner.

AND

1. The General Manager,  
RG-III Area, Sugareni Collieries Co. Ltd.,  
Godavarikhani.

2. The Colliery Manager,  
OCP-III Rg Sugareni Collieries Co. Ltd.,  
Godavarikhani. .. Respondents.

APPEARANCES :

For the Petitioner : M/s. K. Vasudeva Reddy, Advocates.

For the Respondent : M/s. J. Parthasarathy, Advocates.

AWARD

This is a case taken under Sec. 2 A(2) of the I.D. Act, 1947 in view of the judgement of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. Brief averments of the petition are : that the petitioner was appointed as E.P. Operator w.e.f. 16-10-1990, since then, he used to discharge his duties sincerely and the satisfaction of his superiors. Since then, he has not been issued any charge sheet or memo.

3. The petitioner had an accident on 17-8-1999 resulting in severe skull injuries to his head fracture in his wrist, apart from other body injuries. Immediately the petitioner was taken to NIMS and given initial treatment at NIMS after conducting required tests thereafter the petitioner was under the treatment at Hyderabad for about 3-12 months. As a result of the above accident, the petitioner was forced to stay at Hyderabad.

4. The petitioner while he was at bed sent information to the authorities about the accident and the treatment being taken by him ultimately subsequent to his recovery petitioner returned for duty on 2-12-1999 along with the medical certificate from 17-8-1999 to 1-12-1999. Upon such reporting the 2nd Respondent referred the petitioner to the Area Hospital run by the Respondent from medical examination. Accordingly he returned and he was declared fit to join duty and the petitioner was permitted to go on duty. While he was performing his duties suddenly a notice was issued dated 27-9-2001 dismissing from service.

5. The petitioner was not given any opportunity much less valid in nature during the domestic enquiry. The enquiry was not validly conducted and order is disproportion to alleged misconduct and therefore he may be reinstated with continuity of service, back wages etc.

6. A counter was filed stating that petitioner attendance was not proper right from 1995 to 1999. He never achieved the minimum number of musters which is 240. In this circumstances a charge sheet dated 12-1-2000 was issued under company's standing order No. 25(25) and 25(31) that is habituated continuous absenteeism unauthorisedly without prior sanction of leave or sufficient cause in the year 1999. The petitioner received the charge sheet submitted his explanation dated 28-2-2000. The petitioner stated that he met with an accident on 17-8-1999 at Hyderabad and skull and wrist fractures, he gave an accident certificate and had not found fit by Area Hospital, RG. An enquiry was ordered and conducted on 13-3-2000. In which he fully participated. He was given all opportunities to defend his case in the domestic enquiry which found him guilty and he was dismissed w.e.f. 1-10-2001. That he has been almost absent during the year 1999. Therefore is not a fit case for reinstatement.

7. The petitioner's counsel conceded that the domestic enquiry held is valid and Ex. M1 to Ex. M14 were marked with consent and arguments were heard.

8. The petitioner's Counsel argued on the same lines and the respondent's Counsel argued on the same lines.

9. It may be seen that the petitioner was appointed on 16-10-1990 and the following documents are marked as follows : Ex. M1 is the charge sheet about his absence during the year 1999. Ex. M2 is the reply to charge sheet. Ex. M3 notice of enquiry. Ex. M4 is another notice of enquiry. Ex. M5 is a letter from appointing officer. Ex. M6 is enquiry proceedings. Ex. M7 is the enquiry report. Ex. M8 is proposed disciplinary action of dismissal. Ex. M9 is the service particulars of the employee. Ex. M11 is the reply. Ex. M12 are from petitioner to the Respondent. Ex. M13 is from Respondent to the petitioner. Ex. M14 is dismissal order.

10. These documents are not marked. Ex. X1 is the Xerox copy of the medical certificate dated 30-11-1999 that the petitioner had fracture from 17-8-1999 to 1-12-1999. Ex. X2 is the out patient record of NIMS. Thus, it may be seen that an enquiry has been conducted for absenteeism during 1999 and no doubt, he appears to be a habitual absentee even in the other months of 1999. But, he has put in 10 years of service and atleast this time he had genuine reason vide Ex. X1 and Ex. X2 because of his fracture in an accident. Therefore, I am of the opinion that the petitioner can be given a fresh chance and he has got 23 years of service. Hence, the Respondent is directed to appoint the petitioner in the post last held by him that is E.P. Operator within one month from today, otherwise the Respondent has to pay him pay from First June, 2002. He shall be appointed as a fresh candidate on the minimum scale. He will not be entitled for any back wages or continuity of service.

Award passed. Transmit.

Dictated to Kum. K. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me in the Open Court on this the 29th day of April, 2002.

E. ISMAIL, Presiding Officer

#### Appendix of evidence

Witnesses examined for the Petitioner      Witnesses examined for the Respondent

NIL

NIL

#### Documents marked for the Petitioner

NIL

#### Documents marked for the Respondent

Ex. M1 : Copy of charge sheet dated 12-1-2000.

Ex. M2 : Copy of reply to charge sheet dated 28-2-2000.

Ex. M3 : Copy of Lr. No. OCP. III/RG/2000/10/611 dated 1-3-2000.

Ex. M4 : Copy of P.OCP III/RG/18/64A dated 5-3-2000.

Ex. M5 : Copy of OCP. III/RG/2000/10/708 dt. 9-2-2000

Ex. M6 : Copy of enquiry proceedings dated 13-3-2000.

Ex. M7 : Copy of enquiry report.

Ex. M8 : Copy of Lr. No. OCP. III/RG/2000/33/1711 dated 2-5-2000.

Ex. M9 : Copy of service particulars of petitioner.

Ex. M10 : Copy of Lr. No. P.R.G. III/28A/1152 dated 27-6-2000/7-7-2000.

Ex. M11 : Copy of petitioner's representation dated 21-7-2000.

Ex. M12 : Copy of petitioner's representation in September, 2000.

Ex. M13 : Copy of Lr. No. P.R.G. III/28A/2274 dated 10-11-2000.

Ex. M14 : Copy of dismissal order No. P.R.G. III/28A/2086 dated 27-9-2001.

#### Documents marked by the Court

Ex. X1 : Copy of medical certificate dated 30-11-1999.

Ex. X2 : Copy of out patient medical record of NIMS.

नई दिल्ली, 29 मई, 2002

का. घा. 2100.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ. सी. आई. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निद्विष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण हैदराबाद पंचाद (संवर्ध संख्या 9/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-05-2002 को प्राप्त हुआ था।

[सं. एल-22025/1/2002-आई आर (सी. II)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 29th May, 2002

S.O. 2100.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 9/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 27-5-2002.

[No. L-22025/1/2002-IR (C-II)]

N. P. KESAVAN, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD PRESENT :

Shri E. ISMAIL, Presiding Officer.

Dated : 26th April, 2002

INDUSTRIAL DISPUTE M.P. No. 9/2001

(M.P. No. 2/99 Transferred from Labour Court-III, Hyderabad)

BETWEEN

S/Sri

1. Khaja Moinuddin

2. E. Thirupataiah

3. G. Samuel

4. G. Ramalingam

5. N. Satyanarayana

6. Md. Janimaiah

7. R. Yadagiri Rao

8. MA. Gani

9. R. Lazar

10. E. Satyanarayana

11. K. Mohan Reddy

12. Syed Ahmed Hussain and

13. A. Kulasekhar

Clk Sri R. Yogender Singh,  
Advocate, 1-11-83, Galkonda,  
Alwal, Secunderabad.

Petitioners

AND

1. The Senior Regional Manager,  
Food Corporation of India,  
3rd Floor, HACA Bhavan,  
Assembly Road,  
Hyderabad.

2. The District Manager,  
Food Corporation of India,  
District Office,  
Nalgonda,

.. Respondents

## APPEARANCES:

For the Petitioner : Sri R. Yogender Singh, Advocate.  
For the Respondent : M/s. B.G. Ravindra Reddy, Advocates.

## ORDER

This case M.P. No. 2/99 is transferred from Labour Court-III, Hyderabad in view of the Government of India, Ministry of Labour's order No. H-11026/1/2001-IR(C-II) dated 18-10-2001 and renumbered in this Court as M.P. No. 9/2001.

2. This is a petition filed by Sri Khaja Moinuddin and 12 others under Section 33 C(2) read with Sec. 5 of I.D. Act.

3. The brief averments in the petition are : That the watchmen working with the respondent. They have initially appointed on daily wages basis and continued on daily wages from 1976 to 1981 wherein their daily wage was Rs. 4 per day. During the above said period a regular permanent employee was paid a basic salary of Rs. 210 per month excluding other allowances. As per the I.D. Act, the casual worker is entitled for a wage equal to 1/30th of the basic wage of the regular employee per day plus dearness allowance which was 179 per cent of the wage. Is petitioner entitled to the amount shown as per calculation memo? During the above said period the petitioner were not paid for the weekly offs and public holidays. Hence, the respondents have to pay arrears of wages and weekly off wages to the petitioners which is their legal right. Hence, the Hon'ble Court may be please to direct the respondents to pay the sum of Rs. 2,29,511.05 towards arrears.

4. The respondent filed a counter filed stating that the appropriate Govt. for the Respondent is the Central Govt. Labour Court only is the proper Court for the purpose of entertaining M.P. under Sec. 33 C(2) of the I.D. Act. Therefore the present petition is not maintainable and the Court has no jurisdiction. (It was filed before the Labour Court-III transferred to this Tribunal on constitution). It is not submitted that the petitioner originally engaged as watchman on daily wages depending upon the availability of work for the purpose of safeguarding food grains. Food grains in the open storage units and hired depots. Their engagement was never continuous. They only work during the days and periods mentioned in annexure enclosed with counter. The allegations that they worked continuously from 1976 to 1981 is not correct. During the period, they worked on daily wages. They were paid minimum wages as prescribed by the Govt. of A.P. in its G.O.M.S. No. 549 dated 3-6-1976. As per the said G.O. minimum monthly wage prescribed for watchman is Rs. 102.70ps. for Zone-II. Nalgonda District falls under Zone-II. The above said wage was divided by 26 days and the daily wage arrived at on the above principle was paid to the petitioners. Hence, the 4 monthly wage was divided by 26 days instead of 30 days, the daily wage paid to the petitioner had taken care of the weekly off. Accordingly, the petitioners were paid Rs. 4 per day. It is submitted that the petitioners were given regular appointment between the years 1991 and 1993 and from the date of their regularization they were on regular scale of pay and were paid all other benefits payable to the regular employees of the Food Corporation of India. As prior to regularization they were only daily wage workers. They are not entitled to regular scale of pay and cannot be treated on par with regular employees. Further they are not entitled to wage of Rs. 19.53 payable to the regular employees. Further the claim is abnormally delayed and it is liable to be dismissed on the sole grounds. They have not based on their claim under any provision. Hence, they cannot claim these benefits and the said claims cannot be adjudicated under Sec. 33 C(2) of the I.D. Act. The M.P. is therefore no maintainable and the same is accordingly liable to be dismissed. Hence, it is liable to be dismissed in limine.

5. All the petitioners examined themselves as witnesses. Sri Khaja Moinuddin examined himself as WW1 and deposed that he has been working as watchman under R2 since 10-11-1976 on temporary basis. On 6-11-1992 his services were regularized by the 2nd respondent. He worked as temporary watchman from 10-11-1976 to 21-7-1981. Thereafter he was retrenched from service by the 2nd respondent. In 1985 as filed W.P. before the Hon'ble High Court of A.P. and the High Court was pleased to give a direction to the 2nd Respondent for his

absorption into service subject to arising of the vacancies in the department. As there were vacancies in the year 1992 he was taken into service in the year 1992.

6. He was paid Rs. 4 per day once in a month from 1976 to 1981. In the year 1976 watchman's basic pay was Rs. 210 plus D.A. etc. Hence, he is entitled to receive D.A. and wages for weekly offs and public holidays.

7. In the cross-examination he deposed he has not filed any documents to show that he worked from 1976 to 1981 that he claimed wages and allowances payable to regular watchman at FCI godowns. That from 1982-1991 he did not work with the respondent. He denied that he worked as watchman on daily wages from November, 1978 to 1981. That he worked as daily wage, watchman for two years at Aaleru and for two years at Bhongir.

8. Sri B. Thirupathaiah, petitioner No. 2 examined himself as WW2. He said he worked from 13-3-1976 to 21-7-81 as temporary watchman. That his services were regularized on 11-12-1991, after approaching the Hon'ble High Court. In the cross-examination he deposed that there is no document to show that he work as watchman from 13-3-1976 to 21-7-1981. As per Ex. M1 the watchman was paid Rs. 102.70 towards wages those who work in Nalgonda Distt. under Zone-II. He did not work in FCI during 1981-1991.

9. Sri G. Samuel, petitioner No. 3 examined as WW3. He deposed that he worked from 3-1-1976 to 21-7-1981. That as per the directions of the Hon'ble High Court he was reinstated and regularized from 1991. That he was paid wages at Rs. 4 per day. He is entitled to wages of the regular employee. In the cross-examination he said he has not filed documents to show that he has worked as watchman from 3-1-1976 to 21-7-1981. He did not worked under the respondents from 1981 to 1991.

10. Sri G. Ramalingam, Petitioner No. 4, examined himself as WW4, stated that he worked as watchman from 15-9-76 to 21-7-81. He was regularized in view of Hon'ble High Court Judgement in 1992. He was paid Rs. 4 per day. He is entitled for regular pay. In the cross examination he denied that he never worked continuously from 1976 to 1981. He has no idea about the minimum wages fixed by the Govt. of Andhra Pradesh in the year 1976. During 1981-1992 he did not work under FCI.

11. Petitioner No. 5, Sri N. Satyanarayana examined himself as WW5 deposed that he worked from 13-10-1976 to 21-7-1981 as temporary watchman. In view of the Hon'ble High Court Judgement he was regularized in the year 1992. He does not know minimum wages fixed for Zone-II. He did not work under 2nd respondent from 1981-1991.

12. Petitioner No. 6, Sri Md. Janimiah examined himself as WW6 and deposed that he worked as watchman from 15-10-1976 to 21-7-1981. Petitioner No. 7 Sri R. Yadagiri Rao, examined himself as WW7 and deposed that he worked as watchman from 2-5-1976 to 21-7-1981. Petitioner No. 8 Sri M.A. Gani, examined himself as WW8 and deposed that he worked as watchman from 10-2-1977 to 21-7-1981. Petitioner No. 9 Sri R. Lazar, examined himself as WW9 and deposed that he worked as watchman from 10-3-1978 to 21-7-1981. Petitioner No. 10 Sri E. Satyanarayana, examined himself as WW10 and deposed that he worked as watchman from 13-10-1978 to 21-7-1981. Petitioner No. 11 Sri K. Mohan Reddy, examined himself as WW11 and deposed that he worked as watchman from 10-10-1978 to 21-7-1981. Petitioner No. 12 Sri Sued Ahmed Hussain, examined himself as WW12 and deposed that he worked as watchman from 30-10-1978 to 21-7-1981. Petitioner No. 13 Sri A. Kulaskar, examined himself as WW13 and deposed that he worked as watchman from 27-8-1978 to 21-7-1981.

13. The Respondent examined Sri M. Siva Rama Krishna, Asstt. Manager (Mech. D), Vijayawada as MW1. He deposed that from 1977 to 1980 he worked as Asstt. Manager, Miryalaguda. From 1980 to 1997 he worked as Unit Manager at Miryalaguda. That he knows all the petitioners who worked as watchman on daily wages from 1977 to 1981. No body worked continuously during that period. Ex. M2 is the statement of 13 petitioners showing the workplace No. of days they worked during 1977 to 1981. Ex. M2 is enclosed with the counter. As per G.O.M.S. No. 549 dated 3-4-1976, Ex. M1 minimum wages were paid. Between 1991 to 1993 all petitioners were regularized and given regular scale of pay. They are not entitled for what they had claimed.



14. In the cross-examination he deposed that during the year 1981 they were all retrenched. They approached the Hon'ble High Court vide writ petition No. 1618 and 11320/85 and the writ was allowed on 18-11-1988 directing to consider the petitioners for appointment under Sec. 25H. It is true that one should have 240 days of service in a year for regularization as per seniority. That he prepared the statement Ex. M2 based on the records. He has not filed record basing on which the counter and statements were prepared. He denied that he has himself used his powers.

15. It is argued by the Learned Counsel for the petitioners that these petitioners were appointed by the Respondent from 1976 to 1981 and they were paid Rs. 4 daily. That during the said period regular permanent employees were paid basic salary of Rs. 210 excluding other allowances and as per the Industrial Disputes Act, the casual worker is entitled for 1/30th of basic wage of a regular employee per day plus dearness allowance. That during the said period the petitioners were not paid weekly offs and public holidays were their legal right. The particulars showing the period of daily rate wages are enclosed to the main petition.

16. In similar circumstances one Mr. Arif Ahmed has filed CMP No. 10/1984 on the file of Labour Court-I wherein the Court was pleased to direct the respondent to pay Arif the wages for weekly off and public holidays. The statements filed by the respondents are make believe and if their statement is correct except petitioner No. 2 no one has completed 240 days in a calendar year. If the stand of the respondent is genuine the Corporation will not consider the case of the petitioners for regularization and the Corporation would not have been followed the Judgement of the Hon'ble High Court without following the relevant acts for such regularization. This itself establishes beyond any doubt that the particulars furnished were concocted and created only to mislead the Court. If the Respondents are particular and sincere in paying the wages to the petitioners as per the relevant G.Os. under the Payment of Wages Act. It is their bounded duty to calculate the points on variable dearness allowance while paying wages to its employees irrespective of the nature of the employment whether casual or regular. The Govt. of A.P. basing on whose orders the respondents are fixing the wages have also issued different G.Os. or notifications for variable dearness allowance. Fixing the points based on the wage structure. This was not followed by the Respondent. Thus, it is clear that the wage is not included with variable Dearness Allowance. Assuming that the casual employees are entitled only for wage fixation by the Government then the dictum of various High Courts and Supreme Court about equal pay for equal work will be defeated. At the time of cross-examination of MW1 deposed that he will produce the original document pertaining to the engagement of the petitioners where they were employed on casual basis till date has not materialized. Hence, the petition may be allowed. He relied on the orders of the Labour Court-I, Hyderabad dated 23-9-1993 in CMP No. 10, of 1984. There the case of the petitioner was that he was appointed as watchman on daily rated basis and he was paid daily wages on the days he worked though he was entitled for wages on weekly offs. Therefore, he claimed Rs. 1814 for the weekly offs. In that case the Respondent filed counter taking various grounds, wherein the Court hold that when employees of shops and establishments are entitled for weekly offs with wages, as Arif in that case was entitled. And, the Court directed that he should be paid for Sundays.

17. The Respondent's counsel argued that the appropriate Govt. for the respondent is the Central Govt. has notified only Labour Court for the purpose of entertaining M.Ps under Sec. 33 C(2) of the I.D. Act. Therefore, the present petition is not maintainable and this Court has no jurisdiction.

18. The petitioners were originally engaged as watchman on daily wages for the purpose of safeguarding the foodgrains kept in open storage and hired depots. Therefore, engagement was never continuous. The allegation that they worked from 1976 to 1981 continuously is not correct. During the period they worked they were paid minimum wages as prescribed by the Govt. of A.P. in its G.O.M.S. No. 549 dated 3-4-1976. Under the said G.O. monthly minimum wage for watchman is Rs. 102.70. The above said monthly wage was divided by 26 days that the daily wage arrived on the above principle. Hence, they were paid Rs. 4 per day

instead of Rs. 3.40 and it was divided by 26 days. They were appointed on regular basis between 1991-93. Hence, they are not liable to be paid Rs. 19.53 payable to the regular employees. That claim is also abnormally delayed and is liable to be dismissed on that ground only. Hence, it is prayed that the petition may be dismissed.

19. It may be noted that it is an agreed fact that these petitioners were employed on daily wage basis and they were continued on daily wages and they worked during 1976-1981. They were given regular appointment during 1991-1993 after the Hon'ble High Court directed to regularize them. Now, first question that is to be seen is that they worked between 1976-81, they were regularized between 1991-1993 and have approached Labour Court-III vide M.P. No. 2 of 1999 which after the establishment of this Industrial Tribunal-cum-Labour Court was transferred and renumbered as M.P. 9/2001. So, what about this delay of many years from 1981 to 1999. Granted that they were pursuing their remedy in the Hon'ble High Court and they were afraid that they may not be regularized if they were to approach the Labour Court, but still after they were regularized in 1993 they approached in 1999. The Judgement that is relied by the petitioner although not binding is of my Learned Colleague, Labour Court-I, in M.P. No. 10/1984 which I am marking as Ex. X1 at this stage for better understanding is that one Mr. Arif was appointed as watchman on daily rated basis. There also he has worked continuously and he was not given pay for Sundays. So the Court said that he can be paid wages for Sundays and he is entitled for Rs. 1,814. There the quantum of Rs. 4 per day was not disputed. Here in this case the monthly wages of Zone-II have been divided by 26 that is taking care of the Sundays. The petitioner have failed to prove that they are entitled for equal wages on par with permanent employees when the minimum wages have been paid. They have also failed to prove that there are G.Os. increasing the wages. Hence, I am afraid the petitioner has no case. If there is a G.O. after 3rd June 1976 which is marked as Ex. M1 enhancing the pay minimum wages which must be there because from 1976 to 1981 wages must have been increased. In the result, the petitioner has not chosen to file those G.Os. if there are any such G.Os. increasing the minimum pay for Peon/Watchman from Rs. 102.70 to say Rs. 140 or Rs. 160 that shall be divided by 26 and wages paid accordingly after subtracting the wages already paid. Ordered accordingly.

Dictated to Kum. K. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me in the Open Court on this the 26th day of April 2002.

E. ISMAIL, Presiding Officer

#### Appendix of evidence

Witnesses examined for the Petitioners	Witnesses examined for the Respondent
WW1 : Khaja Moinuddin	MW1 : Sri M. Siva Rama Krishna
WW2 : E. Thirupataiah	
WW3 : G. Samuel	
WW4 : G. Ramalingam	
WW5 : N. Satyanarayana	
WW6 : Md. Janimaiah	
WW7 : R. Yadagiri Rao	
WW8 : M.A. Gani	
WW9 : R. Lažar	
WW10 : E. Satyanarayana	
WW11 : K. Mohan Reddy	
WW12 : Syed Ahmed Hussain and	
WW13 : A. Kulasekhar	

Documents marked for the Petitioner|Union  
NIL

Documents marked for the Respondent

Ex. M1 : Copy of G.O.M.S. No. 549 dated 3-6-1976.

Ex. M2 : Particulars of working days of petitioners.

Documents marked by the Court

Ex. X1 : Copy of Judgement in M.P. 10/1984 of Labour Court-I.



नई दिल्ली, 30 मई, 2002

का. आ. 2101.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वाइल्ड लाइफ इंस्टिट्यूट ऑफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण लखनऊ के पंचाट (संदर्भ संख्या 51/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-5-2002 को प्राप्त हुआ था।

[सं. एन-42012/32/2000-आई आर (डी यू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 30th May, 2002

S.O. 2101.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 51/2000) of the Central Government Industrial Tribunal/Labour Court Lucknow now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Wild Life Institute of India and their workman, which was received by the Central Government on 30-5-2002.

[No. L-42012/32/2000-IR(DU)]

KULDIP RAI VERMA, Desk Officer

## ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, LUCKNOW

## PRESENT:

Rudresh Kumar, Presiding Officer.

I.D. No. 51/2000

Ref. No. 42012/32/2000/IR(DU) dated 30-5-2000

## BETWEEN

Km. Ranjana Barthwal D/o T.R. Barthwal R/o Q. No. type-I, 97 FRI, PO : New Forest Dehradun-248001.

## AND

Director, Wild Life Institute of India, Chandrabani, Dehradun-248001.

## AWARD

By order No. 42012/32/2000/IR(DU) dated 30-5-2000, the Central Government in the Ministry of Labour, in exercise of powers conferred by clause (d) of Sub-section (1) and Section 2(A) of I.D. Act, 1947 (14 of 1947) referred this industrial dispute between Km. Ranjana Barthwal D/o T.R. Barthwal, Dehradun and Director, Wild Life Institute of India, Chandrabani, Dehradun for adjudication.

The reference under adjudication is as under :

"Whether the action of the management of Wild Life Institute, Dehradun in terminating the services of Km. Ranjana Barthwal, ex-contingent LDC, w.e.f. 11-5-1995 is just, fair and legal? If not, to what relief the workman is entitled and from what date?"

2. The workman, Km. Ranjana Barthwal, seeks invalidation of her retrenchment from the post of Lower Division Clerk on plea of having worked continuously from 11-4-1994 to 10-5-1995 i.e. for 387 days and her services dispensed with without any notice, notice pay or retrenchment compensation as provided under Section 25-F of the I.D. Act. Admittedly, by Office Order No. A/2-1/90-WII dated 11-4-1994, she was engaged on a contract basis for one year on consolidated amount of Rs. 2000 p.m. The period of contract with same terms and conditions was extended by letter 1-5-1995 till 10-5-1995. One of the stipulations of this contractual employment mention that on expiry of one year period or at end 1845 GI/2002—25

of the extended period, her engagement would automatically come to end. She was given fresh appointment w.e.f. 11-7-95 on consolidated emolument of Rs. 1800 p.m. upto 22-8-1995, but was terminated earlier. However, this termination is not covered by the term of reference.

3. The management also admitted contractual engagement by letter dated 11-4-1994 and extension by letter dated 1-5-95. However, the management denies retrenchment and submits automatic cessation of work on expiry of contract of service.

4. The reference order requires adjudication on action of the Wild Life Institute, Dehradun in terminating the services of Km. Ranjana Barthwal ex-contingent LDC w.e.f. 11-5-95, whether just, fair and legal? This is apparent from the order of the reference that this Tribunal is not required to work into order of fresh appointment dated 11-7-1995 and termination on 17-8-1995. As such, the tribunal is required to confine consideration on alleged termination w.e.f. 11-5-1995.

5. Two central issues, firstly : whether on expiry of contractual period, the workman was entitled to employment and further her cessation as such, from duties is retrenchment within the meaning of Section 2 (oo) of the I.D. Act, and secondly : whether the Wild Life Institute of India is an "Industry" within the meaning of Section 2(j) of the I.D. Act?

6. There is no denial that the workman continuously worked since 10-4-1995 to 10-5-1995 on consolidated amount of Rs. 2000 p.m. The appointment was contractual as is evident by the letter of appointment and extension letter. Unlike a daily wage, the workman was engaged on contract basis for the fixed term and her discontinuity from services, on expiry of the contract of employment was automatic as per stipulation of the contract. The relationship as master and servant ceased automatically and the workman was not entitled to continue further in service. This contractual period was based depending on quantum of available work in a particular project, extension was granted for a brief period to ensure completion of work. Such cessation of employment is not 'retrenchment' under Section 2(oo) (bb) of the I.D. Act.

7. Accordingly, the action of the management treating the workman discontinued from service w.e.f. 11-5-1995 can not be said to be breach of contract and further more, such cessation is not retrenchment. The workman has no right to claim continuity in the services after expiry of the contract.

8. As regards the second point that Wild Life Institute of India is not an "industry" as defined under Section 2(j) of the I.D. Act, there is no material to adjudicate this issue finally. In the present case, there is no need to deliberate on this issue.

9. Accordingly, the award, is, that the action of the management in treating Km. Ranjana Barthwal out of employment w.e.f. 11-5-1995 as ex-contingency LDC was just, fair and legal. The workman is not entitled to any relief.

LUCKNOW

17-5-2002.

RUDRESH KUMAR, Presiding Officer

नई दिल्ली, 30 मई, 2002

का. आ. 2102.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इण्डियन एग्रीकल्चर रिसर्च इंस्टिट्यूट के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चण्डीगढ़ के पंचाट (संदर्भ संख्या 63/92) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-05-2002 को प्राप्त हुआ था।

[सं. एन-42012/157/91-आई आर (डी यू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 30th May, 2002

S.O. 2102.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 63/92) of the Central Government Industrial Tribunal/Labour Court, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Agriculture Research Institute and their workman, which was received by the Central Government on 30-5-2002.

[No. I-42012/157/91-IR(DU)]

KULDIP RAI VERMA, Desk Officer

#### ANNEXURE

BEFORE SHRI S. M. GOEL, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, CHANDIGARH

Case No ID 63/92

Smt. Ramo Devi,  
W/o Sh. Ishwar Singh,  
Ram Nagar,  
Kachi Jhuffi,  
C/o Sat Pal Sharma Tea Stall,  
Opp. Railway Station,  
Karnal (Haryana).

.... Applicant

Versus

Project Director,  
Directorate of Wheat Research,  
P. B. No. 158,  
Karnal (Haryana).

.... Management

#### APPEARANCES :

For the workman : Sh. J. B. Tacoria.

For the management : Sh. S. K. Sood.

#### AWARD

(Passed on 11-12-2001)

The Central Government vide notification No. L-42012/157/91-IR(D.U.) dated 29-6-92 has referred on the following dispute to this Tribunal for adjudication :—

"Whether the action of the management of Indian Agriculture Research Institute (Barley Project now Wheat Project) in terminating the services of Smt. Ramo Devi w.e.f. 1-6-90 is justified? If not, what relief she is entitled to?"

2. The applicant filed claim statement stating therein that she remained employed with the management from November 1987 to May, 1990. Her services were terminated by the management on 1-6-1990. No notice was given at the time of termination. Thus the management has violated the provisions of Section 25-F of the I.D. Act. The management has not adopted the principle of first come last go and violated the provisions of Section (g) of the I.D. Act, 1947. Thus the applicant has prayed that she be reinstated in service with full backwages and with continuity of services.

3. The management in written statement has taken the preliminary objection that the establishment of the management is national agency for promoting and coordinating research in all area of Wheat and Barley and it is not an 'Industry' and the applicant is not a workman. On merits it is pleaded that the workman was engaged as daily paid labourer for the work seasonal in nature. It is stated that workman never completed to 240 days in a calendar year. The workman only worked for 221 days in one calendar year immediately proceeding her date of termination as per the detail given in para 1 of the written statement. It is pleaded that the workman worked for 58 days in the year 1987, 166 days in 1988, 216 days in 1989 and 147 days in 1990. The management pleaded that it has not violated the provisions of Section 25-F, G & H of the I.D. Act and the reference deserves dismissal.

4. The applicant filed replication contending that respondent management is industry. It is further pleaded junior to the workman namely Balbir Singh was retained in service at the time of termination of the services of the workman.

5. The applicant in evidence filed her affidavit Ex. W1 and copy of representation Ex. W2 and detail of working days of the workman Ex. W2 in evidence. The management in evidence filed the affidavit of Hari Singh Ex. M1. The management also filed the affidavit of Jaspal Singh Ex. M2 in evidence. MW2 Jaspal Singh admitted in cross-examination that Ranauki Ram, Savitri, Harinder and Sukh Ram continued to come as come as casual labour at the time when the workman left the job. He has also admitted that Prem Partap, Ramesh Chand, Des Raj and Aman Kumar were employed after the termination of the workman.

6. I have heard both the parties and gone through the record of the case.

7. It is not disputed that the workman had put in only 221 days of service in one calendar year immediately before her termination. Under these circumstances, the provisions of Section 25-F of the I.D. Act do not apply in this case. The witness of the management has admitted that Ranauki Ram, Savitri Devi, Harinder and Sukh Ram continued to come even after the termination of the services of the workman. The witness of the management MW1 has deposed that he is not aware that these four persons were junior to the workman or not. The applicant. The management has also placed a letter dated 30-4-2001 filed on the case file on 30-7-2001 showing that Prem Partap, Ramesh Chand, Des Raj and Aman Kumar were appointed during the year 1994 and were junior to the applicant workman. In reply to the application for production of the record showing that Ranauki Ram, Savitri Devi, Harinder and Sukh Ram were junior to the workman, the management replied that the record is not traceable. The inference can be drawn that these four were junior to the workman and they were retained in service by the management. As per provisions of Section 25-G, the services of the junior must have been terminated by the management rather than the services of the workman. Thus the management has violated the provisions of this Section. Therefore, the termination of the services of the workman contravening the provisions of Section 25-G constitute illegal termination of the services of the workman.

8. The rep. of the workman has referred the case of Narinder Kumar Vs. State of Haryana 1991(1) R.S.J. 690, Punjab & Haryana in which the Hon'ble High Court has held that if the provisions of Sec. 25-G are not complied with by the management, the workman is entitled to be reinstated though she had not completed 240 days prior to her termination. Keeping in view the law laid down by Hon'ble High Court, the workman deserve to be reinstated w.e.f. 1-6-1990.

9. The workman has not pleaded in her claim statement that she remained unemployed after the termination of her services. In written statement the management has pleaded that the workman did not turn up for work. In the affidavit also the workman has not deposed that she remained unemployed after the termination of her service, the workman is not entitled to get any backwages.

10. The rep. of the management also taken objection that establishment of the management is not industry and the applicant is not a workman. She has placed reliance on the case law State of Gujarat and others. Vs. Pratap Singh, Narsingh Parmar R.S.J. 2001(2) page 132 argued that it is to be proved by the workman that the establishment to which she had been appointed is an industry. It is also argued that the applicant has not proved this fact before this Tribunal. I have gone through the case law. The present case law is not applicable on the facts and circumstances of the case. In the case in hand the management has pleaded that its establishment is not an industry. The management has not proved and led any evidence to show as to what are the activities and functions carried on by the management in absence of which it is held that the establishment of the management is an industry.

11. In view of the discussions made in earlier paras it is held that the action of the management in terminating the services of Ramo Devi ex-daily paid labour w.e.f. 1-6-1990 is unjustified. The management is directed to reinstate her w.e.f. 1-6-1990 in the same capacity in which she was working at the time of termination. She will not be entitled to get any backwages. Reference is answered accordingly. Central Govt. be informed.

S. M. GOEL, Presiding Officer

Chandigarh :  
11-12-2001

नई दिल्ली, 30 मई, 2002

का. आ. 2103.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबंध में नियंत्रकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण हैदराबाद के पंचाट (संदर्भ संख्या 12/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-5-2002 को प्राप्त हुआ था।

[सं. एल-40025/8/2002-आईआर (डीयू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 30th May, 2002

S.O. 2103.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 12/2001) of the Central Government Industrial Tribunal/Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Telecom Deptt. and their workman, which was received by the Central Government on 30-5-2002.

[No. L-40025/8/2002-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT AT  
HYDERABAD

PRESENT :

Shri E. ISMAIL, Presiding Officer.

Dated : 30th April, 2002

Industrial Dispute L.C.I.D. No. 12/2001

BETWEEN

Y. N. V. S. L. V. Prasad,  
S/o Y. Ramakrishnayya,  
H. No. 41-13-12, Krishna Lanka,  
Vijayawada-520013.

.... Petitioner

AND

The General Manager,  
Bharat Sanchar Nigam Ltd.,  
Telecom,  
Vijayawada-520010.

.... Respondent

APPEARANCES :

For the Petitioner : M/s. C. Suryanarayana, Advocates.

For the Respondent : M/s. A. Raghavaiah, Advocates.

AWARD

This is a case taken under Section 2A (2) of the I.D. Act, 1947 in view of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8595 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. Brief averments of the petition are : That the petitioner was appointed initially as casual mazdoor under the Asst. Engineer, E-10B, MDF, Saifabad, Hyderabad. During the period from 1-8-85 to 14-6-87 who is under the Administrative control and jurisdiction of DE, E-10B Installation, Hyderabad. He could not attend to duties from 15-6-87 to 3-8-88 that is about 8-1/2 months. There after he reported for duty. But they refused to admit him to duty even though he was in continuous employment for 683 days till he became sick. They did not realize that the period of absence due to sickness has to be ignored. They terminated him from service with paying

any compensation. As per the mandatory provisions of the Section 25F of the I.D. Act. Thereafter he approached the Railway Electrification Authority at Hyderabad. The petitioner was employed from 2-3-88 to 3-1-90 for a period of 554 days. He was again employed during April and May, 1990. That Sri Y. Sitapathi Rao, AE incharge of REP Stores Dump at Warangal continued to employ him up to July, 1991 for 13 long months without showing his name in the muster rolls. On the false ground that the said Stores Dump at Raigar was closed. The petitioner and two others were terminated from the service by the said AE, Warangal even though several casual mazdoors were continued in service which was gross violation of the Section 25F of the I.D. Act.

3. He was employed as casual mazdoor under the AE, E-10B, Installation, Hanamkonda from 21-8-91 to 31-1-93 for a total period of 509 days. On completion of the above work at Khammam the petitioner shifted to E-10B, Installation, Vijayawada and the period of is employment was from 1-9-93 to 31-3-94 for 7 months which is directly under the Telecom Department Authorities. Thereafter he was again discontinued in gross violation of the mandatory provisions. Sri P. Jaya Prakash, AE, E-10B Installation, Vijayawada employed him from 1-4-94 to 15-7-94. Again he was employed as contract labour from 16-7-94 to 16-4-96. Thereafter the petitioner was transferred to work as contract labour under SDE, Installation, Vijayawada from 28-3-87 to 10-1-98. Again, he was transferred and worked under Sri K. V. S. Raju, SDE from 11-1-98 to 30-9-98. The petitioner has been continued as casual labour even today at Satyanarayana Puram. Removal of his name from muster rolls at various stages amounts to illegal retrenchment with the mala fide intention of depriving the petitioner of the chance of regularization. For some months, he was paid Rs. 1500 per month and in last few months he was being paid even less than Rs. 1500 per month. In fact, as a casual labourer he is entitled to basic pay of Group-B employee at the minimum i.e. Rs. 2550 plus D.A. from time to time. If he is conferred temporary status he will be entitled for one increment of minimum of 240 days service in a year. It is therefore prayed that the removal of the petitioner's name from muster rolls is illegal retrenchment and consequently to pass award directing his reinstatement in muster rolls service retrospectively and pay him wages as in the case of other muster roll service mazdoors besides granting temporary status w.e.f. 1-10-89.

4. The respondent filed a counter that on scrutiny of office records it is found that no person with the name of Y. N. V. L. N. S. V. Prasad, S/o Y. Rama Krishnayya worked at Vijayawada before January, 1993. That the petitioner was engaged on casual basis from 1-9-93 to 31-3-94 for a period of six months on muster rolls for E-10B, Installation works purely on need basis. That the petitioner was engaged on contract basis for works on need basis. That there is no practice of employment or recruiting casual mazdoors in the department as per the works on hand which are continuous in nature. The casual mazdoors are engaged or disengaged. There is no retrenchment or termination. Services on other than muster rolls is not recognized. The scheme for granting temporary status is for those casual mazdoors who had been working on muster rolls continuously. Even if the petitioner worked in different spells without a break as casual mazdoor, the petitioner is not entitled for any benefit.

5. The petitioner examined himself as WW1 and deposed that he worked as casual mazdoor in the Telecom Department since 1-8-85. Initially worked at Saifabad, Hyderabad upto 14-6-87. Ex. W1 is the certificate issued by the Asst. Engineer, Saifabad, Hyderabad showing that he worked as casual mazdoor in maintenance, Saifabad from 1-8-85 to 14-6-87. Next certificate dated 12-2-89 is Ex. W2 which shows number of working days. But, his name was recorded as Y. Prasad instead of Y. N. V. L. N. S. V. Prasad. That he fell sick on 15-6-87 and continued to be sick upto 2-3-88 due to Hepatitis. He gave information to A.E. regarding his sickness and submitted Ex. W3 the medical certificate. That he was sent to railway electrification project circle under Asst. Engineer, Telecom, Secunderabad. Ex. W4 is the said certificate showing that he worked from 2-3-88 to 1-11-89. Ex. W5 is for the same period but shows the details of employment. That his employment certificate for the said period is Ex. W6. Ex. W7 is a register in which his days particulars along with work order muster rolls number were recorded. Ex. W7 shows that he worked for 90 days as contract worker (this is for period upto November, 1989). Subsequently he was employed in the REP up to May, 1990. Then he worked at Tenali,

Then he worked for installation works at AE, Phones, Hanamkonda vide Ex. W8 which shows that he worked from 2-1-89 to 31-1-93 for 509 days. Subsequently he was employed by one Sri A. S. R. Murthy, AE, Installation, Hyderabad on camp at Khammam. He was given not given certificate for working days as he was shown as self contractor. He worked at Khammam from February, 1993 to August, 1993. Subsequently, he was taken under a mustering officer by name Sri B. Jaiprakash and he worked from September, 1993 to 25th March, 1994. His name was included in muster roll. Ex. W8 shows the same. After that he was engaged as contractor to work at Digital Tax Power Plant under AE, Installation. Ex. W10 and Ex. W11 are the relevant certificates. Subsequently he was employed at Autonagar, Vijayawada under DE, Phones. The relevant certificate is Ex. W12 and date of working days for 472 days from 16-7-1994 to 16-1-1996 are Ex. W12 and Ex. W13. Again he was employed as contract labour under Sri M. Sri Rangasai, Ex. W14 and Ex. W15 are the relevant page showing that he worked for 374 days from 17-1-96 to 27-3-97. Later he continued like this. Vide Ex. W16 at Vijayawada, S. N. Puram etc. As the relevant certificate is Ex. W17 from 11-1-98 to 30-9-98. Thereafter, he was employed under similar works.

6. On 20th March, 2001 he submitted representation to the General Manager, Telecom requesting for temporary status as he has completed more than 240 days of service in several years as on 1-8-98. He relied on the Chief General Manager's letter dated 20-11-2000. The same is Ex. W18. Ex. W19 is the number of days he worked under muster rolls and Ex. W20 is the total number of 1882 days he worked. Ex. W21 is the seniority list of the temporary mazdoors who have completed ten years of service are declared eligible for absorption as regular mazdoors. The last two are juniors to him. Hence, he may be directed to be reinstated with back wages etc.

7. In the cross-examination, he deposed that it is true that Ex. W6 is not an official letter. File number and date are also not there. He was not sponsored by the employment exchange, Vijayawada. Ex. W3 is the medical certificate which clearly shows that he was on medical leave from 15-6-87 to 2-3-88. As per Ex. W4 worked from 2-3-88 to 1-11-88 at Vijayawada. It is true that he worked from 1-1-93 to 25-3-94 and he was on muster rolls for that period. There are no date on file number on Ex. W7, Ex. W10 and Ex. W17. It is true that he worked as contract labour under contractors from 1-4-94. As per Ex. W9 he was on muster rolls at Vijayawada. As per Ex. W7 he was also on muster rolls. But, from 1-9-90 to 31-10-90 it was signed by the AE, SDO, Tenali but initial by a clerk. It is true that he worked installation work.

8. The Respondent examined Sri M. Panakala Rao, who is working as Sub-Divisional Engineer, from 16-6-99. He deposed that WW1 was working as casual labour from 1-9-93. He worked upto 25-3-94 except the month of December, 1993 on ACG-17, he was on muster rolls. At present he is not working. As his work is of temporary nature the muster rolls were closed in April, 1994. The casual mazdoors are engaged on casual basis for the works of temporary nature. He was engaged on casual basis for the works of temporary nature. He was engaged on muster rolls in September, 1993. Ex. M1 is the DGP&T, New Delhi letter No. 370/6/81-STN dated 30-3-85 there is a bank for engagement or recruitment of casual mazdoors from 31-3-85 in Telecom Circles issued by the Director, Telecom. Ex. M2 is the letter dated 20-2-86 of Telecom. The letter clarifies that engagement of casual labours even in the Electrification Project Circles have also been banned w.e.f. 22-6-88. Ex. M3 is the letter dated 7-11-89 introducing the scheme of casual labours (grant of temporary status and regularization) Scheme, which envisages the casual labours who are currently employed and have rendered continuous service of atleast one year is to be conferred that temporary status for the casual mazdoors who are engaged prior to 30th March, 1985. The scheme if effective from 1-10-89. As per the records submitted by the petitioner he is said to be engaged from 1-8-85 at E10B/MDF, Saifabad, Hyderabad and subsequently sponsored w.e.f. 2-3-88 at REP, Vijayawada. Sri Tulsi Rao and Sri Venkateswara Rao, casual mazdoors though they were first engaged in Railway Electrification Project sponsored at Khammam came to Vijayawada SSA in the month of September, 1993 and worked upto 25-3-94 for six months on muster rolls and one month on ACG-17 rolls. Hence, he was not eligible for TSM temporary status. No authentic record for his engagement before 1993 is available. Ex. M4 is the

Dot letter dt. 21-10-92 which envisages the powers of condonation of break in service as per this upto one year can be done by Chief General Manager, for any reasons on the merits of the case. Ex. M5 is dated 20-7-93 where there are some instructions to extend temporary status to all casual mazdoors who were working between 31-3-85 to 22-6-88 and who are still continuing in certain works. Similar circular dt. 30-10-93 is Ex. M6.

9. In the cross-examination, he deposed that he is not aware that WW1 was employed on contract basis after removing his name from the muster rolls. He is also not aware that petitioner's services were terminated after he raised the industrial dispute. He is not aware whether there is a 5K RLU at CTX building, Vijayawada. He is exactly not aware of the details as he is looking after administrative work in G.M. office as Sub-Divisional Engineer, Administration. The certificates submitted by WW1, Ex. W4 and Ex. W5 etc. are not available in their office, only copies are available. For certificates produced from other divisions by the petitioner they do not have any reference at Vijayawada office.

10. It is argued by the Learned Counsel for the petitioner that actually number of working days put in by the petitioner are on record and WW1 has spoken to the same they are not in dispute. It is reported in AIR 1978 SC 8 Delhi Cloth and General Mills Ltd. Vs. Sambhu Nath Mukerjee, it was held that removal of name from muster rolls constitutes to illegal retrenchment and the workman is entitled to reinstatement with continuity of service and full back wages from the date of illegal retrenchment.

11. Even, assuming that he was engaged as contract labour it is submitted that under the Contract Labour Act, the employer is required to obtain license from the Labour commissioner concerned. The contractor who supplies the contract labour should have registered his name in the office as contractor and obtain license to supply contract labour. The respondent management did not adduce any evidence to establish that it is registered itself to be able to engage contract labour. There is also no evidence on record to establish that the persons who styled themselves as contracts are entitled to supply contract labour. In fact there was no mention of any contractor's name fulfilling the prescribed conditions. The local officers, who retired from services posed as suppliers of contract labour without the authority to do so. It was in fact camouflage of the local officers who engage the casual labour, obviously that the connivance of higher authorities. A reference to the Judgement of the 5-Judge Bench of the Supreme Court reported in 2001 SCC (L&S) 1121 establishes the said fact. It may be noted that the workman in continuous service for more than 240 days in each year commencing from his initial appointment. An account of malpractices like the workman are being sadistically harassed and victimized. Therefore, this Court may be pleased to consider his record of service and declare that he was illegally retrenched from service and he is entitled to be reinstated with continuity of service and back wages.

12. It is argued by the Learned Counsel for the respondent that on scrutiny of office records no persons with name of Y. N. V. L. N. S. V. Prasad, S/o Y. Rama Krishna worked in Vijayawada before January, 1993. Therefore, the Respondent submits that the petitioner does not come under the jurisdiction of General Manager, Telecom District, Vijayawada. With regard to appeal this the respondent submits that the petitioner is not sponsored in Vijayawada Secondary Switching Area. The petitioner was engaged on casual basis from 1-9-93 to 31-3-94 for a period of 6 months on muster rolls for E-10B Installation works purely on need basis. Again he was engaged between April, 1994 to July, 1994 at Vijayawada purely on need basis. That the respondent was engaged on contract basis for works of casual nature at RSU, Satyanarayanapuram, Vijayawada etc. purely on need basis. Further, there is no practice of employing on recruiting the casual mazdoors in the department. As per the works on hand, which are contingent in nature the casual mazdoors are engaged or disengaged. Such engagement will be usually done to work order and muster rolls. The scheme to confer temporary status on casual mazdoors was for those who worked on muster rolls continuously even if the petitioner worked in different spells with a break as a casual mazdoor the petitioner is not entitled for any relief. Further, vide Ex. M1 there is a ban for engagement or recruitment of casual mazdoors from 31-3-85 in Telecom Circles issued by the Director, Telecom. Ex. M2 is another letter banning the engagement of casual labours even in the electrification project. Ex. M3 is the letter dated 7-11-89

introducing the scheme of granting temporary status and regularization which envisages casual labours and who have rendered a continuous service of at least one year is to be conferred with temporary status for the casual mazdoors engaged prior to 30-3-85. The scheme was effect from 1-10-89. Whereas the petitioner is said to have been engaged on 1-8-85 at Hyderabad and subsequently sponsored w.e.f. 2-3-88 at REP, Vijayawada. The case of Tulsi Rao and B. Venkateswara Rao casual mazdoors for they were first engaged in Railway Electrification Project came to Vijayawada in the month of July, 1991 and continuously worked there. Therefore, they were granted temporary status from 17-12-93 whereas petitioner came in 1993. Ex. M5 is dated 20-7-1993 where there are instructions to grant temporary status to those persons who worked between 30-3-85 to 22-6-88 and who are still continuing to work. Another such circular is Ex. M6 that their services should be terminated after following Sections 25F, 25G, 25H of the I.D. Act. Even according to WW1 the petitioner worked at Saifabad from 1-8-85. Therefore, he is not entitled for any relief and there is no merit in the case of the petitioner.

13. Let us examine the documents filed by the petitioner. Ex. W1 shows that he worked from 1-8-85 to 14-6-87 at Saifabad as per Ex. W2 he worked during 1986 he worked from August, 85 to May, 87 on each day of the calendar month without even one day break. That is to say that in 1986 calendar year he worked for complete 365 days. Ex. W3 is the medical certificate shows he was sick from 15-6-87 to 2-3-88. Once we see Ex. W2 one is pleasantly surprised that from August, 1985 till 14th June, 87 he has not taken a single holiday. So there is no reason to disbelieve Ex. W3. It is produced from Civil Assistant Surgeon, University General Hospital, Vijayawada. Again we find Ex. W4 where the petitioner has worked as casual mazdoor in R.E. Project, Vijayawada w.e.f. 2-3-88 to 1-11-99. The Engineer certifies that his character and conduct were satisfactory during the said period. Then we see Ex. W5 where he has worked at Vijayawada from 2-3-88 to 30-11-89. It may be seen that as per Ex. W5 he has worked at R.E. Project, Vijayawada practically for the whole months without even one day rest for example during the one year from 1-8-88 to 31-7-89, he has not been provided work in April and May yet he has put in 274 days of work. Ex. W6 shows that he was engaged for construction work from 2-3-88 at Vijayawada that is his correspondence to Ex. W5. Again he worked for 509 days at Installation work at Hanamkonda Telephone Exchange between 21-8-91 to 31-1-93. Again he has worked at Vijayawada for 90 days. From Ex. W10 and Ex. W11 corresponding to the same. Again, Ex. W12 shows that he worked for 470 days at Vijayawada from 16-7-94 to 16-1-96. Ex. W13 corresponds to the same. Ex. W14 again shows that he worked for 374 days at Vijayawada between 17-1-96 to 21-3-97 as contract labour. Ex. W15 corresponds to the same. Again Ex. W16 shows that he worked as Contract labour from 28-3-97 to 10-8-98. Again Ex. W17 shows that he worked from 11-1-98 to 30-9-98 at Vijayawada. Ex. W18 is the letter about his absence due to ill-health. Ex. W19 shows the total number of days he has worked. From 1985 to 1994 he has worked for 1,882 days.

14. It may be suffice it to say that as stated supra he worked from 1-8-85 to 31-7-89 for 274 days at Vijayawada. Ex. W6 is the certificate showing that he did work as casual mazdoor at Vijayawada. Without going into the details let us see whether the documents of the respondents themselves come to the rescue of the petitioner. Ex. M6 states that those who worked from 31-3-85 to 22-6-88 and still are continuing to work, temporary status may be extended to them also. However, here after working he has been again shunted under so called various contractors and put in 1882 days of service including the above as stated having worked for 274 days in a year. I am surprised that if such person who work so devotedly as I have stated previously that it is rather pleasant surprise to see a person working so devotedly without taking a single leave years together whenever he was provided work. No doubt, now he was removed from muster roll from 1-11-94 yet he was continued in employment as contract labour. No contract labour is examined in this case. And he has worked till and he is still to work as casual labour even today at Satyanarayana Puram, Vijayawada. It is a fit case wherein the judicial discretion should be exercised in the favour of the petitioner. Hence, respondents are directed to reinstate the petitioner as a casual labour within 30 days from the publication of this award and further he should be granted temporary status in due course as and when his turn comes

taking his seniority from 1-8-85 (Of course, it is made clear that he should be taken as casual mazdoor and made temporary mazdoor but there shall be no retrenchment in view of this order.)

Award passed accordingly. Transmit.

Dictated to Kum. K. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me in the Open Court on this the 30th day of April, 2002.

E. ISMAIL, Presiding Officer

#### Appendix of evidence

Witness examined for the Petitioner                      Witness examined for the Respondent

WW1 : Sri Y. N. V. L. N. S. V. Prasad

MW1 : Sri M. Panakala Rao

#### Document marked for the Petitioner

- Ex. W1—Service certificate dt. 10-2-88
- Ex. W2—Certificate of working days dt. 12-2-88
- Ex. W3—Medical certificate dt. 2-3-88
- Ex. W4—Service certificate dt. 19-7-91
- Ex. W5—Details of employment of Ex. W4
- Ex. W6—Employment certificate
- Ex. W7—Register of working days
- Ex. W8—Service certificate dt. 9-2-93
- Ex. W9—Muster rolls register
- Ex. W10—Conduct certificate for 90 days
- Ex. W11—Service certificate for 90 days
- Ex. W12—Conduct certificate for 472 days
- Ex. W13—Service certificate for 472 days
- Ex. W14—Conduct certificate for 374 days
- Ex. W15—Service certificate for 374 days
- Ex. W16—Conduct certificate
- Ex. W17—Conduct certificate for 8-1/2 months
- Ex. W18—WW1 representation dt. 20-3-2001
- Ex. W19—Number of working days of WW1
- Ex. W20—Total No. of working days certificate
- Ex. W21—Copy of Seniority list of temporary mazdoors as on 31-3-97

#### Documents marked for the Respondent

- Ex. M1—Copy of DGP&T Ir. No. 370/6/84-STN dt. 30-3-85
- Ex. M2—Copy of letter for engagement of casual labour dt. 20-2-86
- Ex. M3—Copy of letter No. TA/STA/9-1/Rlgs/V/KV dt. 21-11-89
- Ex. M4—Copy of Ir. No. 269-3/92-STN dt. 21-10-92
- Ex. M5—Copy of Ir. No. Te. STN/20-2/Rlgs/Corr./KV dt. 20-7-1993
- Ex. M6—Copy of Ir. No. TA/STB/9-1/Rlgs/93 dt. 30-12-93

नई दिल्ली, 30 मई, 2002

का. आ. 2104.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. बी. एम. बी. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक विवाद अधिनियम के प्रावधानों के अन्तर्गत (सर्वोच्च न्यायालय 162/90)

को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-5-2002 को प्राप्त हुआ था।

[सं. एल.-42012/16/90-आईआर (डीयू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 30th May, 2002

S.O. 2104.—In pursuance of Section 17 of the Industrial Dispute Act 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 162/90) of the Central Government Industrial Tribunal Labour Court, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BBMB and their workman, which was received by the Central Government on 30-5-2002.

[No. L-42012/16/90-IR(DU)]

KULDIP RAI VERMA, Desk Officer

#### ANNEXURE

BEFORE SHRI S. M. GOEL, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 162/1990

General Secretary,

Nagal Bhakra Workers Union, Kilan Area,  
Nangal Township, Distt. Ropar (PB.)-140124.  
.. Applicant.

Vs.

Chief Engineer,

B.B.M.B., Bhakra Dam, Nangal Township,  
Distt. Ropar (Punjab)-140124.

.. Respondent.

#### REPRESENTATIVES :

For the Workman.—None.

For the Management.—Sh. R. C. Atri.

#### AWARD

Dated : 14th May, 2002

The Central Govt. Ministry of Labour vide Notification No. L-42012/16/90-I.R.(DU) dated 9th November, 1990 has referred the following dispute to this Tribunal for adjudication :—

“Whether the action of the management of BBMB, rep. through the Chief Engineer, Irrigation Wing, BBMB

in terminating the services of Sh. Darshan Singh, Beldar w.e.f. Jan. 85 to July, 88 is justified ? If not, to what relief the concerned workman is entitled to and with what effect ?”

2. None appeared on behalf of the workman. It appears that the workman is not interested to pursue with the present reference. The same is returned and dismissed in default. Central Govt. be informed.

Chandigarh.

Dated : 14-5-2002.

S. M. GOEL, Presiding Officer

नई दिल्ली, 30 मई, 2002

का. आ. 2105:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. बी. एम. बी. के प्रबंधन के संबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चण्डीगढ़ के पचाट (संदर्भ संख्या 166/90) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-5-2002 को प्राप्त हुआ था।

[सं. एल.-42012/20/90-आईआर (डीयू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 30th May, 2002

S.O. 2105.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of (Ref. No. 166/90) of the Central Government Industrial Tribunal Labour Court, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BBMB and their workman, which was received by the Central Government on 30-5-2002.

[No. L-42012/20/90-IR(DU)]

KULDIP RAI VERMA, Desk Officer

#### ANNEXURE

BEFORE SHRI S. M. GOEL, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 166/1990

General Secretary,

Nangal Bhakra Workers Union, Kilan Area,  
Nangal Township, Distt. Ropar (Pb.)-140124.

.. Applicant.

Vs.

New Delhi, the 31st May, 2002

1. Chief Engineer, B.B.M.B.,  
Irrigation Wing, Nangal Township,  
Distt. Ropar (Punjab)-140124..
2. Chairman, B.B.M.B.,  
Sector 19-B, Chandigarh-160017.  
Respondent.

**AWARD**

Dated : 14th May, 2002

The Central Govt. Ministry of Labour vide Notification No. L-42012/20/90-I.R.(D.U.) dated 9th November, 1990 has referred the following dispute to this Tribunal for adjudication :—

“Whether the action of the management of BBMB rep. through the Chairman, BBMB, Chandigarh and the Chief Engineer, Nangal Township in refusing the pay scale in respect of the Electrician Grade-I (Special) from 1-1-78 to pay scale Rs. 510 to 940 and from 1-1-86 to pay scale Rs. 1350 to Rs. 2400 is justified ? If not, to what relief the concerned workmen are entitled to and with what date ?”

2. None appeared on behalf of the workmen. It appears that the workmen are not interested to pursue with the present reference. The same is returned and dismissed in default. Central Govt. be informed.

Chandigarh.

Dated : 14th May, 2002.

S. M. GOEL, Presiding Officer

नई दिल्ली, 31 मई, 2002

का. अ. 2106.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ऑर्डनेन्स फैक्ट्री के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण लखनऊ के पंचाट (संदर्भ संख्या 22/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-5-2002 को प्राप्त हुआ था।

[सं. एल-14012/88/99-आई आर (डीयू)]

कुलदीप राय वर्मा, उच्च अधिकारी

S.O. 2106.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 22/2000) of the Central Government Industrial Tribunal/Labour Court Lucknow now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Ordnance Factory and their workman, which was received by the Central Government on 31-5-2002.

[No. L-14012/88/99-IR(DU)]

KULDIP RAI VERMA, Desk Officer

**ANNEXURE**

**CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT,  
LUCKNOW**

**PRESENT :**

Rudresh Kumar, Presiding Officer  
I.D. No. 22/2000

Ref. No. L-14012/88/99/IR(DU) dated  
22-2-2000

**BETWEEN**

Smt. Kamla Devi W/o Ramdeen, R/o  
Badrinath Colony, Patharia Peer,  
Dehradun-248001.

**AND**

General Manager, Ordnance Factory,  
Raipur, Dehradun-248001.

**AWARD**

By order No. L-14012/88/99/IR(DU) dated 22-2-2000, the Central Government in the Ministry of Labour, in exercise of powers conferred by clause (d) of Sub-section (1) and section 2(A) of I.D. Act, 1947 (14 of 1947) referred this industrial dispute between the Smt. Kamla Devi, W/o Ramdeen, Badrinath Colony, Dehradun and the General Manager, Ordnance Factory, Dehradun for adjudication.

The reference under adjudication is as under :—

“Whether the action of the Management of Ordnance Factory, Dehradun in terminating the services of Smt. Kamla Devi, Ex-sweeper is fair, legal and justified ? If not, what relief the workman is entitled and from what date ?”



2. According to Smt. Kamla Devi, workman, she was appointed as daily rated lady sweeper w.e.f. 1-1-1989 against a permanent vacancy in the Ordnance Factory, Dehradun. Her name was sponsored by the local Employment Exchange and the board of selection approved her for appointment. However, to her misfortune, before appointment, ban was imposed on fresh appointment and so, she was engaged as a daily wager. She continuously worked for about 4 years till 31-7-93 and in each year worked for more than 240 days. Time and again, she insisted to be regularised as her juniors were regularised and filed a number of representations for the said purpose. Being annoyed with her repeated demands for regularisation, the management dispensed with her services orally, without any notice, notice pay or retrenchment compensation as envisaged under Section 25-F of the I.D. Act. It is also pleaded that more than 300 workers were employed in the factory and so, the workman should have been given benefit of Section 25-N under Chapter V-B of the said Act. It is stated Rajesh, Aasha, Beena, Anil and Sunil all juniors to her were regularised but she was deprived of her just entitlement without any justification. All along during her employment she worked with satisfaction to her superiors, but the Section-in-Charge calculated less number of working days to deny her regularisation as per policy of the management. While counting her working period Sundays and holidays and other authorised leave etc. were not taken into consideration. Further, chart of working days were prepared calander yearwise against the policy decision of the management.

3. The management has not disputed engagement of the workman as lady sweeper. It is also not denied that her name was sponsored by the Employment Exchange and she was duly selected. However, the date of initial engagement is stated to be 30-5-89 as nerrick rated sweeper. It is also admitted that her services were terminated w.e.f. 10-7-93 and before the said date she remained associated with the Ordnance Factory. It is disputed that she worked continuously. However, her workings, 119 1/2 days during 1989, 235-1/2 days during 1990, 258-1/2 days during 1991, 235 days in 1992 and 110-1/2 days during 1993 are admitted. A chart showing calander yearwise working days is filed. It is pleaded that she had not worked for 240 days in two years as required by direction of the Director General,

Ordnance vide letter No. 75/76/Misc. A/NI Govt. of India, Ministry of Defence dated 19-9-95. Only those nerrick rated daily wagers were regularised who had put 240 days in a year for two years continuously or more and had been sponsored by the local Employment Exchange. The workman had put in more than 240 days only in one year and so, she was not eligible to be regularised as per the said direction. Furthermore, it is stated that there existed no vacancy to keep the workman retained after regularisation and so, her services were dispensed with. It is not denied that she was not paid notice pay or retrenchment compensation etc. at the time of dispensing her services.

4. One of the main issues raised by the Ordnance Factory, Dehradun is that it is engaged in production of items for defence of the country, discharges sovereign function of the state. Its activities can not be treated as 'industry' as contemplated in section 2(j) of the I.D. Act. Reliance is placed on letter No. L/14012/33/02/IR(DU) dated 31-1-94 of the Ministry of Labour and also on decision in Writ Petition No. 304/74 C. Vamendevan Vs. General Manager, Clothing Factory, Avadi which held that the ordnance factory under the Ministry of Defence, primarily, engaged in production of items for defence of the country, would not amount to an 'industry' within scope of I.D. Act, 1947. The employer has also denied adopting unfair labour practices in discharging the workman from service as daily wager lady sweeper without having paid any compensation etc.

5. The preliminary objection that the ordnance factory, Dehradun is not an "industry" requires consideration. As stated earlier the management relied on certain opinion of the Govt. of India, Ministry of Labour in not referring dispute as the ordnance factory was not treated 'industry' and further the decision in Writ Petition No. 304/74. To counter this submission, the workman relied on decision of the Madhya Pradesh High Court in LPA Nos. 156 & 160 of 1994, Union of India Vs. Presiding Officer, CGIT-cum-Labour Court, Jabalpur reported in Factory and Law Report 96(74) page 2222 which held that Ordnance Factory is 'industry' and its activities can not be termed as sovereign functions. This decision is binding.



6. Admittedly, this factory is registered under the Factory Act, and complies with rules and regulatory provisions under the said Act, to the extent not specifically exempted. No doubt, the manufacturing related to defence without profit motive but it does not mean that the activities of the factory is of sovereign nature, rather, the ordnance factory discharges corporate functions, and so, it is held to be an 'industry'. Legal opinion relied by the employees can not over rule judicial decision.

7. The management relies on direction of the Director General vide letter No. 75/76 Misc. (A) NI dated 19th Sept. 1995 relating to employment of sweepers, which makes mandatory that only those engaged on nerrick rates could be regularised, if had put 240 days service in a year for two years continuously or more and had been sponsored by the local Employment Exchange. This letter take cognizance of 240 days service in a year as per provision of the I.D. Act, which implies that the Director General, Ordnance was alive that 240 days service in a year constitute "continuous service" under section 25-B of the I.D. Act and so, for purposes of regularisation, emphasis on two years continuous service was laid. The submission that Ordnance Factory, Dehradun is not an 'Industry' is belied by the stand of the Director General, Ordnance. The provisions of I.D. Act, are applicable in the Ordnance Factory, Dehradun also.

8. Whether Smt. Kamla Devi worked for more than 240 days in a year to bring her case within the ambit of section 25-F or 25-N of the I.D. Act. It is admitted by the MW. Mrs. Rolley Mahendra that Sunday and holidays were not added in calculating 240 days "actual service" in a year. This statement creates doubt in calculating working days and the chart filed by the management. The chart has been prepared calander year-wise and not year-wise from the date of joining, as per the direction of the Director General, Ordnance which mentions 240 days in 'a year' and not in a calander year. In any event, non-inclusion of Sundays and other holidays in actual working days made the calculation wrong. There should have been calculation year-wise and not calander year-wise. Accepting the chart of working days as it is relied by the management, the workman worked for 258 1/2 days in the year 1991, and her case is covered by section 25-B of the I.D. Act.

9. In workmen of American Express International Banking Corporation Vs. Management of American Express International Banking Corporation 1985 (51) FLR 481, the Apex Court held "that section 25-F of the I.D. Act, is plainly intended to give relief to retrenched workmen. The expression which we are required to construe "actually worked under the employer". The expression, according to us can not mean those days only when the workman worked with hammer, sickle or pen, but must necessarily comprehend all those days during which he was in the employment of the employer and for which he had been paid wages either under express or implied contract of service or by compulsion of statute, standing order etc."

10. Mrs. Rolley Mahendra admitted not adding Sunday lying in between the working days or other authorised leave. No record is produced to explain the situation as what were the reasons therefore, whether payments were made and if not, whether there existed any direction. The workman was entitled to weekly rest day and there is nothing on record to show her unwillingness to work during her association for 4 years after being duly selected. The direction of the Director General Ordnance, was to regulate those having worked for 240 days in a year for two years and not to dispense with the services without benefit under section 25-F or 25-N of the I.D. Act.

11. The action of the management without notice, notice pay and retrenchment compensation was void and the workman is entitled to reinstatement. If actual working period is calculated as per law laid down by the Apex Court, she would be entitled to regularisation also as per direction of the Director General, Ordnance.

12. Accordingly, the award is :

- (i) that the action of the management of ordnance factory, Dehradun in terminating services of Smt. Kamla Devi was illegal and she is entitled to reinstatement;
- (ii) that she is also entitled to full back wages and litigation cost quantified Rs. 1000 only.

RUDRESH KUMAR, Presiding Officer

## CORRIGENDUM

New Delhi, the 6th June, 2002

S.O. 2107.—In supersession of this Ministry's Notification SO No. 676 dated 31-1-2002 at page 2114 of the Gazette dated February, 23, 2002, in the Annexure of the Notification, the ID No. 42/2002 may be read as 43/2001 and the Tamil Nadu State Industrial Tribunal ID No. printed as 43/2000 may be read as 31/2000 and in the fifth line of para 1 order No. L-40012/416/99-IR (DU) may be read as L-40012/417/99-IR(DU).

[No. L-40012/417/99-IR(DU)]

KULDIP RAI VERMA, Desk Officer

नई दिल्ली, 10 जून, 2002

का.आ. 2108.—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (क) के उप-खण्ड (VI) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 108 दिनांक 31 दिसम्बर, 2001 द्वारा बैंक नोट प्रेस, देवास (म.प्र.) को उक्त अधिनियम के प्रयोजनों के लिए 31 दिसम्बर, 2001 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की यह राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (क) के उप-खण्ड (VI) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 1 जुलाई, 2002 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा.सं. एम-11017/4/97-आईआर(पीएल)]

एच.सी. गुप्ता, उप सचिव

New Delhi, the 10th June, 2002

S.O. 2108.—Whereas the Central Government having been satisfied that the public interest so required has in pursuance of the provisions of sub-clause (vi) of the clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 108 dated 31st December, 2001 services in the BANK NOTE PRESS,

DEWAS (M.P.), to be a public utility service for the purpose of the said Act, for a period of six months from the 31st December, 2001.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act for a period of six months from the 1st July, 2002.

[No. S-11017/4/97-IR(PL)]

H. C. GUPTA, Dy. Secy.

नई दिल्ली, 10 जून, 2002

का.आ. 2109.—केन्द्रीय सरकार संतुष्ट है कि लोकहित में ऐसा अपेक्षित है कि "भारतीय खाद्य निगम" में सेवाओं को जिसे औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 6 के अन्तर्गत निर्दिष्ट किया गया है, उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवाएं घोषित किया जाना चाहिए।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (क) के उप-खण्ड (vi) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए तत्काल प्रभाव से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा.सं. एम-11017/5/91-आईआर(पीएल)]

एच.सी. गुप्ता, उप सचिव

New Delhi, the 10th June, 2002

S.O. 2109.—Whereas the Central Government is satisfied that the public interest requires that the services in the Food Corporation of India which is covered by item 6 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility services for the purposes of the said Act.

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares with immediate effect the said industry to be a public utility service for the purposes of the said Act for a period of six months.

[F. No. S. 11017/5/91-IR(PL)]

H. C. GUPTA, Dy. Secy.